

As you consider what you can give, please note that every dollar is 100% tax-deductible.



Any way you slice it, today you and I have an opportunity to help break Big Labor's stranglehold on our government and our political system.

And the National Right to Work Legal Defense Foundation is leading the charge.

I believe they deserve your support.

So, please submit your CITIZEN'S BRIEF and your most generous contribution to the National Right to Work Foundation -- whether that's \$500, \$250, \$100, \$50, \$25 or \$10 -- right away.

It's vital you act today.

Sincerely,

Rand Paul, M.D.  
United States Senator

P.S. Public sector union bosses know that the National Right to Work Legal Defense Foundation's Janus v. AFSCME case at the U.S. Supreme Court right now could be "life or death" for them.

If successful, Big Labor's iron-fisted grip on public sector

workers and taxpayers will be shattered.

So please submit your CITIZEN'S BRIEF along with your most  
generous tax-deductible contribution of \$100, \$250, \$100, \$50  
or even \$25 or \$10 TODAY!



The National Right to Work Legal Defense Foundation is a nonprofit, charitable organization providing free legal aid to employees whose human or civil rights have been violated by compulsory unionism abuses. The Foundation, which can be contacted toll-free at 1-800-336-3600, assists thousands of employees in more than 250 cases nationwide per year. The Foundation's mailing address is 8001 Braddock Road, Springfield, Virginia 22160. Its web address is [www.nrtw.org/](http://www.nrtw.org/).

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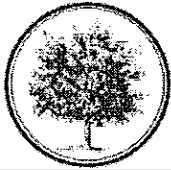
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## THE BUCKEYE INSTITUTE

Robert Alt, president and chief executive officer, and Daniel J. Dew, legal fellow at The Buckeye Institute are featured speakers at the **Federalist Society's 2018 Ohio Lawyers Chapters Conference** on Friday, April 6.

The one-day conference still has a few spots left (register now to guarantee your seat at what promises to be a great event).

We hope you will consider attending, particularly if you have an interest in legal issues and/or either the Janus case or criminal justice reform-Robert's and Daniel's respective topics of discussion.

Friday, April 6, 10:30 a.m. - 5:00 p.m. at the Westin Columbus (310 High Street).

[Register](#)

= A

Buckeye's president and CEO Robert Alt will moderate the luncheon panel discussion on *Janus v. American Federation of State, County, and Municipal Employees, Council 31*.

Alt attended oral arguments in the case, which were heard by the United States Supreme Court on February 26.

The case turns on the question of whether "agency fee" arrangements—which require workers to pay union fees to public sector unions to cover the unions' activities other than political action—violate the First Amendment.

The Buckeye Institute filed two **amicus** briefs in the case arguing that overturning *Abood v. Detroit Board of Education* is unlikely to cause significant decline in union membership or spending, with Alt saying that the case "has the potential to be one of the most important labor and free speech cases in the past 40 years."

The panelists are:

- William L. Messenger, staff attorney at the National Right to Work Legal Defense Foundation; and
- L. Camille Hebert, Carter C. Kissell professor of law at Moritz College of Law at The Ohio State University

Buckeye's legal fellow Daniel Dew, author of *"Money Bail": Making Ohio a More Dangerous Place to Live*, will speak on the panel "Criminal Justice Reform: A Necessary Correction or a Dangerous Experiment?" The panel will look a range of issues including over-criminalization, prison reform, bail reform, and sentencing guidelines reform.

The panel will be moderated by the Honorable Sharon Kennedy, associate justice on the Ohio Supreme Court, and panelists are:

- Dave Yost, Ohio state auditor;
- Daniel J. Dew, legal fellow at The Buckeye Institute's **Legal Center**; and
- Heather Childs, vice president, compliance, Capital One.

The conference will also feature opening remarks by Chad A. Readler, acting assistant attorney general of the United States Department of Justice Civil Division, and will include panels on originalism, federalism, and analyzing Ohio's judicial system and the Ohio Supreme Court.

###

*Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states.*

*The Buckeye Institute is a non-partisan, nonprofit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*

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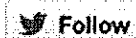
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## TOP NEWS

### Analysis

#### **Red Flags For States Conforming To New Federal Tax Law**

Conforming state tax codes to the new federal regime should bring simplicity, but tax policy experts of all stripes are warning states to stay away from certain provisions they say foster complexity, benefit the wrong taxpayers or will lead to loss of revenue. [Read more »](#)

#### **Supreme Court Resistant To New Way To Read 4-1-4 Rulings**

The U.S. Supreme Court acknowledged Tuesday that there's no great way to read its fractured rulings that lack a clear majority opinion, but suggested that one litigant's proposal to solve the problem would result in "chaos" and throw the justices out of whack. [Read more »](#)

#### **DHS Seeks End To Kaspersky Software Ban Challenge**

[Listen to our new podcast here](#)

### LAW FIRMS

Baker McKenzie  
Barnhouse Keegan  
Bracewell  
Buchalter PC  
Cadwalader Wickersham  
Casellas Alcover  
Clifford Chance

The U.S. Department of Homeland Security asked a D.C. federal judge Monday to end a lawsuit from Moscow-based Kaspersky Labs over a ban on its antivirus products, claiming U.S. authorities have indisputably valid concerns that Russian spies could commandeer the company's software. Read more »

### **FCC's April Agenda To Include Spectrum Auction Framework**

The Federal Communications Commission said this week it is expected to move forward at its April meeting with setting the framework for upcoming spectrum auctions in the 24 and 28 gigahertz bands, along with tackling issues of rural call completion and business data services regulation. Read more »

### **State AGs Back Fed. Suit Over California Immigration Laws**

A group of attorneys general and governors from 18 states on Monday voiced their support for a federal government lawsuit targeting statutes in California that allegedly obstruct federal immigration law enforcement, adding that the Golden State's laws are also preempted under U.S. Supreme Court precedent. Read more »

### **9th Circ. Calls For Input On Minor League Wage Exemption**

The Ninth Circuit on Monday asked minor league baseball players and Major League Baseball to weigh in on new legislation that exempts the players from federal wage-and-hour requirements amid an ongoing labor dispute. Read more »

## **MEDIA & ENTERTAINMENT**

### **FCC's O'Rielly Defends Media Ownership Deregulation**

One Republican member of the Federal Communications Commission defended the agency's latest push to pull apart its current

Cohen Milstein  
Cravath Swaine  
Debevoise & Plimpton

### **Dentons**

Fortney & Scott  
Gibson Dunn  
Goldman Antonetti  
Hinshaw Marsh  
Hochman Salkin  
Holland & Knight  
Jones Day  
Kemp Smith  
Kirkland & Ellis  
Korein Tillery  
Kramer Levin  
Maslon LLP  
Morrison & Foerster  
O'Melveny & Myers  
O'Neill & Borges  
Orrick Herrington  
Pearson Simon  
Proskauer Rose  
Schiff Hardin  
Vorys Sater  
Weil Gotshal

### **COMPANIES**

AT&T Inc.  
Adobe Systems Incorporated  
Amazon.com Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
Apple Inc.  
Association of Corporate Counsel  
Berkeley Research Group  
Berkshire Hathaway Inc.

media ownership rules, in a Tuesday speech before one of the commission's advisory committees. Read more »

## TRANSPORTATION & INFRASTRUCTURE

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### Georgetown Groups' Flight Path Suit Too Late, DC Circ. Says

The D.C. Circuit on Tuesday rejected a challenge from Georgetown University and local groups seeking to block the Federal Aviation Administration from routing aircraft over their neighborhood under newly implemented flight paths that they alleged violated environmental and historic preservation laws, saying their petition came too late. Read more »

## EMPLOYMENT

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### Mich. Gov. Signs Bill Forbidding Salary History Question Bans

Michigan Gov. Rick Snyder on Monday signed a bill that forbids local governments from limiting the questions businesses can ask during job interviews, bucking the trend of states and municipalities encouraging equal pay by blocking employers from asking applicants about their salary histories. Read more »

### 7th Circ. Skeptical Of Ill. Village's Right-To-Work Law

The Seventh Circuit on Tuesday seemed wary of overturning a lower court's order invalidating an Illinois village's local right-to-work ordinance, with one judge saying the village's stance that the National Labor Relations Act doesn't preempt state municipalities from making their own calls on such laws would "create massive chaos." Read more »

## COMPETITION

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Cable News Network Inc.  
Center on Budget and Policy Priorities  
CenturyLink Inc.  
Chevron Corporation  
Chicago Bears  
Cleveland Cavaliers  
Cox Communications Inc.  
DISH Network Corporation  
ESPN Inc.  
Equifax Inc.  
Experian  
Exxon Mobil Corporation  
GSM Association  
Google Inc.  
Home Box Office Inc.  
International Association of Privacy Professionals  
International Union Of Operating Engineers  
KPMG International  
Kansas City Royals  
Kaspersky Lab Ltd.  
Lambda Legal Defense & Educational Fund  
Major League Baseball Inc.  
Major Lindsey & Africa  
NFL Enterprises LLC  
National Basketball Association  
National Collegiate Athletic Association  
National Hockey League  
National Rifle Association of America  
Netflix Inc.  
Sinclair Broadcast Group, Inc.  
Synopsis Inc.  
TBS International Limited  
Tax Foundation



## **Exec Stopped On AT&T-Time Warner Transcript At 'Good Stuff'**

The Dish executive in charge of its online live television service said in D.C. federal court Tuesday that he stopped reading a trial transcript in the AT&T-Time Warner merger case, which should have been kept from him, just as he'd "gotten to the good stuff." Read more »

## **CYBERSECURITY & PRIVACY**

### **Commerce Fighting Data Localization Efforts, Official Says**

The U.S. Department of Commerce has increasingly been working to find common ground on privacy issues with foreign governments in order to clamp down on calls for mandates that companies only store their data locally, an agency official said Tuesday. Read more »

### **Senate Still Struggling With Data Breach Bill, Aide Says**

U.S. Senate leaders are close to reaching an agreement on a legislative proposal that would establish a national data breach notification and security standard that many companies have clamored for, but longstanding disagreements over the bill's scope and preemption are likely to impede its progress through Congress this year, a Commerce committee staffer said Tuesday. Read more »

## **AEROSPACE & DEFENSE**

### **Judge Wants Explanation On DOD's New Transgender Policy**

A Washington federal judge on Tuesday gave the federal government and current and prospective transgender military service members a week to lay out constitutional arguments on President Donald Trump's new policy allowing some transgender troops to openly serve, pushing back a previously

Texas Rangers  
The DIRECTV Group, Inc.  
Time Warner Inc.  
Tribune Media Co.  
Turner Broadcasting System Inc.  
Twitch Interactive Inc.  
Twitter Inc.  
Union Bank  
Washington Post Co.  
YouTube Inc.

## **GOVERNMENT AGENCIES**

Administration for Children and Families  
Bureau of Citizenship and Immigration Services  
California Department of Justice  
Department of Commerce  
European Union  
Federal Aviation Administration  
Federal Communications Commission  
Financial Crimes Enforcement Network  
Florida Attorney General's Office  
Internal Revenue Service  
International Trade Administration  
NAFTA  
National Indian Gaming Commission  
National Security Agency  
National Telecommunications and Information Administration  
Navajo Nation  
New York State Department of Financial Services  
Small Business Administration  
U.S. Census Bureau  
U.S. Department of Defense

imminent ruling on an earlier version of the policy. [Read more »](#)

## INTERNATIONAL TRADE

### **Canada Beefs Up Border Controls After New US Metal Tariffs**

Canada rolled out new measures Tuesday aimed at blocking steel and aluminum from being diverted into the country due to its exemption from recently enacted U.S. tariffs on the metals. [Read more »](#)

## TAX

### **IRS Plans To Limit Contracted Law Firms' Role In Audits**

Private attorneys with whom the IRS contracts to aid in audits would no longer be allowed to review taxpayer information unless they possess expertise in foreign, state or local tax laws, according to a proposal the revenue agency issued on Tuesday. [Read more »](#)

### **IRS Nominee Rettig Discloses \$1.1M In Salary, Names Clients**

Charles Rettig, President Donald Trump's nominee for IRS commissioner, said he received more than \$1.1 million in salary from his law firm and disclosed other sources of employment income and assets from companies including Berkshire Hathaway Inc., AT&T Inc. and Exxon Mobil Corp. in a financial report shared with Law360 on Tuesday. [Read more »](#)

### **China To Cut VAT Rates As Part Of Tax Overhaul**

China will cut value-added tax rates for its manufacturing and transportation sectors as part of the country's overhaul to replace the business tax with the VAT, China's finance minister said. [Read more »](#)

### **Fax Machines Have Overstayed IRS Welcome, Lawmaker Says**

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. House Committee on Energy and Commerce

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Office of Government Ethics

U.S. Senate

U.S. Sentencing Commission

U.S. Supreme Court

Washington Attorney General's Office

Ysleta del Sur Pueblo

The Internal Revenue Service's urgently needed overhaul includes replacing its fleet of fax machines with updated information technology hardware, according to an op-ed article published Monday and written by the chairwoman of the House Ways and Means Oversight Subcommittee, which will consider legislation to revamp the agency. [Read more »](#)

### **NJ Assembly Amends Bill Expanding Biz-Friendly Zones**

The New Jersey Assembly amended a bill Monday that seeks to extend the duration of the state's urban enterprise zone designations and resurrect the qualification for five municipalities whose designations expired on Jan. 1. [Read more »](#)

## **BANKRUPTCY**

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### **Puerto Rico Energy Regulator Seeks Injunction In PREPA Case**

Fighting for what it believes is a mandatory role in the fiscal plan certification process of Puerto Rico's publicly owned electric utility, the territory's energy regulator argued to a New York federal judge on Tuesday that its oversight duties are being overrun in the island's restructuring proceedings. [Read more »](#)

## **IMMIGRATION**

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### **US Chips Away At S. Korean Car, Drug Barriers**

The Trump administration confirmed Tuesday that it has wrapped up its talks with South Korea to amend their 2012 bilateral trade deal and offered new insights on the changes made to the deal's rules covering cars, environmental standards and drug reimbursements. [Read more »](#)

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### **Immigration Bill Roundup: Child Custody, Census Questions**

Members of the 115th Congress have introduced bills that would protect the rights of immigrants in child custody issues and bar citizenship questions from U.S. Census forms.

[Read more »](#)

### **Calif. Sues Administration Over Census Citizenship Question**

The U.S. Department of Commerce announced late Monday that it will reinstate a question on citizenship status in the 2020 census, inciting a legal challenge from the state of California arguing that it will cripple response rates. [Read more »](#)

### **DOJ Must Review Docs In FOIA Suit Over Immigration Appeals**

An Illinois federal judge on Tuesday determined that the U.S. Department of Justice properly withheld documents related to decisions by previous attorneys general after an immigrants advocacy group sought copies of them, but held that the department may have erred in holding onto others from public view. [Read more »](#)

### **Trump Ends Work Permit Program For Some Liberians**

President Donald Trump said Tuesday he would end a work authorization program known as Deferred Enforced Departure for a small group of Liberians, initiating a 12-month wind-down period before they will be obligated to leave the U.S. [Read more »](#)

## **NATIVE AMERICAN**

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### **HHS' \$7.3M Funding Cut To Navajo Nation Overturned**

A D.C. federal judge on Tuesday overturned a \$7.3 million reduction in the government's funding for the Navajo Nation's early education programs, deciding that even though enrollment had dropped, the tribe wasn't

provided with the necessary due process options to fight the changes. [Read more »](#)

### **Tribe Can't Dodge Texas' Suit Over Bingo Machines**

A Texas federal judge refused Monday to dismiss the Lone Star State's lawsuit accusing a Pueblo tribe of illegally operating electronic bingo machines, finding that the tribe didn't prove its activity was exempt from Texas' nuisance law. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **NTIA Head Cheers Efforts To Free Up Spectrum For 5G**

The head of the National Telecommunications and Information Administration on Tuesday touted the agency's efforts to identify underused spectrum with potential for wireless use, saying proposals to convert spectrum allocated for military radar systems and satellite TV could free up 750 megahertz for use by 5G networks. [Read more »](#)

### **House Dems Probe FCC Speeches At Right-Leaning CPAC**

Democratic members of a key House panel in a letter Monday questioned the ethics of Republican Federal Communications Commission members attending the Conservative Political Action Conference last month, asking whether taxpayer dollars had been used to advocate conservative causes. [Read more »](#)

## **CIVIL RIGHTS**

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### **Fla. Ordered To Revamp Felon Voter Restoration System**

A Florida federal judge on Tuesday ordered the governor to establish a new, uniform system for restoring voting rights to felons after finding that the current process, which gives the governor unfettered discretion, violates the

First and Fourteenth Amendments. Read more »

### **Ex-Student Says Univ. Botched Sex Assault Probe Against Him**

A former Illinois State University student sued the school in Illinois federal court Tuesday, alleging ISU violated his due process rights when he was suspended from the school during an investigation of sexual assault allegations made against him that allegedly turned out not to be true. Read more »

### **EXPERT ANALYSIS**

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### **Complying With 2 New AML Rules As Deadlines Approach**

Two landmark anti-money laundering rules — the federal beneficial ownership rule and New York's transaction monitoring rule — have compliance deadlines coming up in the next few weeks. A variety of events may impact a financial institution's ability to comply, says Walter Mix of Berkeley Research Group. Read more »

### **Regulation Of Sports Gambling Will Decide Esports' Fate**

Esports is going to have a major impact on traditional sports, and the U.S. Supreme Court's upcoming sports gambling holding in *NCAA v. Christie* is going to have a major impact on esports, say Holland & Knight LLP attorney David Lisko and law student Viktor Lyusi. Read more »

### **To Hold Or Not To Hold: S Corps And The Carried Interest Rule**

Without an amendment to what is widely believed to be a drafting error in the Tax Cuts and Jobs Act, there may be a strong argument that the new regulations implementing IRC Section 1061 are invalid. Taxpayers evaluating whether to hold carried interests through an S corporation need to assess whether the potential benefit justifies the time and expense

of countering an IRS challenge, say Elizabeth McGinley and Steven Lorch of Bracewell LLP. [Read more »](#)

### **Changes For Youth Football In California And Beyond**

Two California legislators recently announced a bill designed to prevent brain injuries during youth football games by restricting tackle football programs to the high school level. Organizations with youth football programs should anticipate that jurisdictions throughout the country will begin advancing similar restrictions, say Anne Marie Ellis and Paul Alarcon of Buchalter PC. [Read more »](#)

### **Equity Partnership Isn't What It Used To Be**

To many young attorneys, becoming an equity partner shows a firm's long-term commitment, meaning job security and a voice in important firm matters. However, the industry has changed and nowadays it may not be better to enter a new firm as an equity partner, says Jeffrey Liebster of Major Lindsey & Africa. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Feature**

### **What Law Firms Stand To Lose In The #MeToo Era**

There is a reckoning coming for firms that continue to sweep sexual misconduct under the rug, experts say. Editor's note: final of a three-part series. [Read more »](#)

### **Punk Rock Ob-Gyn Gives Juror CPR, Gets Med Mal Mistrial**

Facing the first day of a medical malpractice trial on Tuesday, a San Jose obstetrician-gynecologist who once drummed for The Offspring proved his punk rock bona fides rushing to the aid of a prospective juror in cardiac arrest, delivering CPR but forcing a

mistrial over concerns his medical heroics could bias jurors in his favor. [Read more »](#)

### **Partner Pay Gaps At Dentons, Clifford Chance Average 25%**

Female partners at two U.K. global law firms are paid on average approximately 25 percent less than their male counterparts, according to gender pay gap reports released by the firms Tuesday. [Read more »](#)

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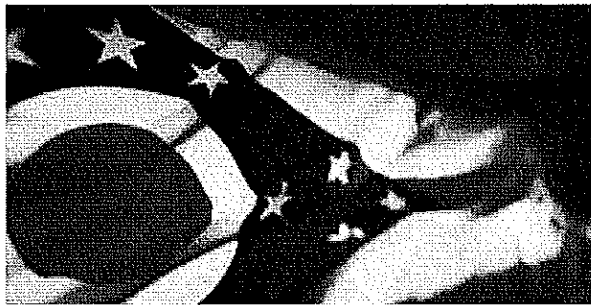
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## **April 6**

### **2018 Ohio Lawyers Chapters Conference**

**10:30 AM - 5:00 PM**

**The Westin Columbus**

The 2018 Ohio Lawyers Conference is now approved for **4.5 hours of CLE credit**. Reserve your spot now; beginning on April 4, the price will increase. This

will also be the last Federalist Society event in Columbus until late May or early June; do not miss it.

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**RESERVE YOUR SPOT AT THIS LINK**

The complete schedule:

**Opening Remarks**

11:00 AM - 11:10 AM

- **Chad A. Readler**, Acting Assistant Attorney General, Civil Division, United States Department of Justice

**Introduction to Originalism and Federalism: Where Are the Courts Heading?**

11:10 AM - 12:15 PM

Since the 1980s, the originalist approach to constitutional interpretation has gained greater and greater acceptance in legal circles, and the number of originalists within the Supreme Court and the federal judiciary has grown. At the same time, originalism still has fierce critics who argue that it is an inappropriate method for constitutional interpretation. Likewise, in the last decades of the 20th century the U.S. Supreme Court breathed new life into a federalist view of the Constitution and the relationship between the federal government and the states. As with originalism, the federalist movement has its own strong critics. The panelists will discuss these two legal concepts. What are originalism and federalism, really? Are they valid or flawed? What developments may we see from the federal courts with regard to these concepts in the future—particularly in light of Neil Gorsuch’s joining the U.S. Supreme Court in 2017? And how do these concepts apply to the work of ordinary legal practitioners?

- **Jonathan Adler**, Johan Verheij Memorial Professor of Law; Director, Center for Business Law and Regulation, Case Western Reserve University School of Law
- **Eric Murphy**, State Solicitor, Ohio
- **Peter M. Shane**, Jacob E. Davis and Jacob E. Davis II Chair in Law, Ohio State University Moritz College of Law
- **Hon. Gregory G. Katsas**, United States Court of Appeals, District of Columbia Circuit (**Moderator**)

### **Lunch Discussion: *Janus v Afsome***

Lunch Buffet: 12:15 PM - 12:30 PM

Discussion: 12:30 PM - 1:30 PM

Earlier this year the U.S. Supreme Court heard oral arguments in *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. The case turns on the question of whether “agency fee” arrangements—which require workers to pay union fees to public sector unions to cover the unions’ activities other than political action—violate the First Amendment to the United States Constitution. The Supreme Court previously found such mandatory union fees to be constitutional in *Abood v. Detroit Board of Education* (1977). However, in 2016, the Supreme Court split 4-4 on this question in *Friedrichs v. California Teachers Association*. William L. Messenger, who delivered the oral argument on behalf of Mark Janus, will explain the legal arguments in favor of his client’s position. Professor Hebert will explain the legal arguments in favor of the union’s position. Mr. Messenger and Professor Hebert will also discuss how public sector unions could be impacted if the Supreme Court finds agency fee arrangements to be unconstitutional.

- **L. Camille Hebert**, Carter C. Kissell Professor of Law, Moritz College of Law at Ohio State University
- **William L. Messenger**, Staff Attorney, National Right To Work Legal Defense Foundation

- **Robert Alt**, President and Chief Executive Officer, The Buckeye Institute (**Moderator**)

## **Criminal Justice Reform: A Necessary Correction or a Dangerous Experiment?**

1:45 PM - 3:00 PM

Demand for criminal justice reform appears to be growing across the political spectrum. Bipartisan coalitions have formed to address overcriminalization, prison reform, bail bond reform, sentencing guidelines reform, and more. Panelists will explore these efforts. Are reforms truly needed, or does the criminal justice system already work well? If reforms are needed, what reforms are best—and are there reforms in other states that may be worth exploring in Ohio? What efforts have the Ohio General Assembly and the Ohio Supreme Court made to address criminal justice reform? Are there arguments that criminal law practitioners should be making in the courtroom in light of these legal developments?

- **Heather Childs**, Vice President, Compliance, Capital One
- **Daniel Dew**, Legal Fellow, Buckeye Institute
- **Hon. Dave Yost**, Ohio State Auditor
- **Hon. Sharon Kennedy**, Associate Justice, Ohio Supreme Court (**Moderator**)

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## **Analyzing Ohio's Judicial System and the Ohio Supreme Court**

3:15 PM - 4:30 PM

What methods of interpretation should Ohio courts use in constitutional matters and in cases involving disputes over statutory text? Does the Ohio Supreme Court have obligations or restrictions different from those facing federal courts? Are there systemic problems in

the Ohio judicial system that the Ohio Supreme Court needs to address? Has the Ohio Supreme Court improperly ignored established precedent or constitutional or statutory requirements in ways that need to be corrected? Can judges really maintain independence if they are elected by voters and must run in partisan primaries? If so, how? What role do lawyers play in building citizen trust and support in the judiciary? Candidates for the two current vacancies on the Ohio Supreme Court will share their views on how the Ohio Supreme Court should address these and other questions. They will also explain how their views are informed and shaped by the Ohio Constitution, the Ohio canons of judicial ethics, and past studies of the administration of justice in Ohio's courts.

- **Hon. Craig Baldwin**, Fifth District Court of Appeals
- **Hon. Mary DeGenaro**, Associate Justice, Ohio Supreme Court
- **Hon. Michael Donnelly**, Cuyahoga County Common Pleas Court
- **Hon. Melody Stewart**, Eighth District Court of Appeals
- **Douglas R. Cole**, Partner, Organ Cole LLP (**Moderator**)

## Reception

4:30 PM - 5:30 PM



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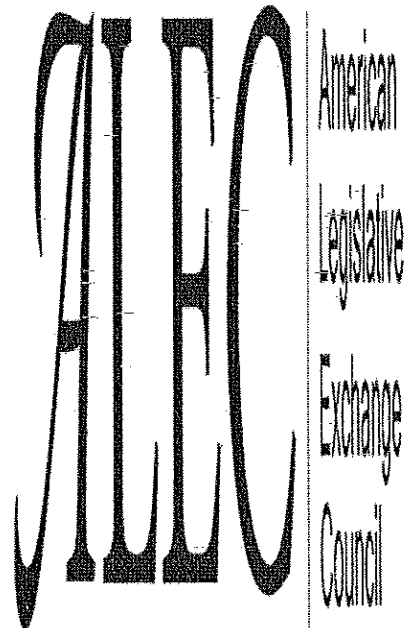
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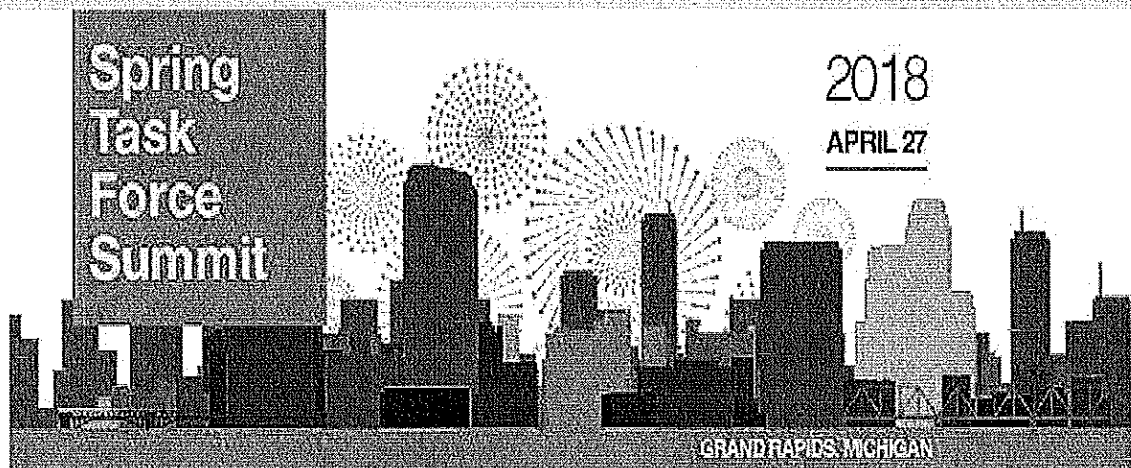
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**Early Bird and Housing Ends on April 6**

**When:** April 27, 2018

**Where:** The Amway Grand Plaza

Grand Rapids, MI

**Early Bird Deadline:** April 6, 2018





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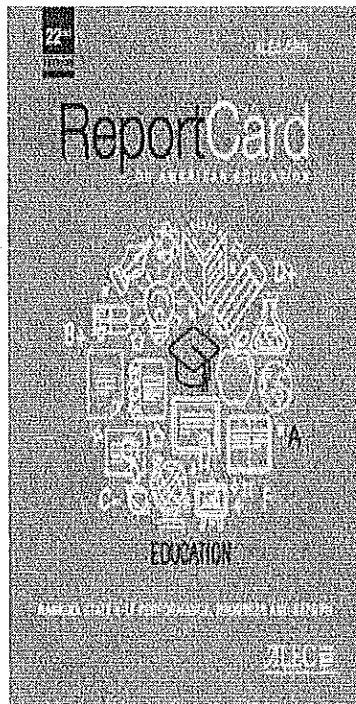
## Policy Spotlight: Education and Workforce Development

Register today and join the Task Force on Education and Workforce Development as it digs behind the headlines and question experts about common sense changes to school security and discipline policies that might prevent the next Parkland tragedy.

Join us in Grand Rapids, MI at the Spring Task Force Summit as the task force continues discussions on issues that are effecting your state!



[Full Conference Agenda](#)



## Report Card on American Education: 22nd Edition

The status quo is not working. Whether by international comparisons, state and national proficiency measures, civic literacy rates, or career preparedness, American students are falling behind. The 22nd edition of the Report Card on American Education ranks states on their K-12 education and policy performance. Find your state ranking below.

Your State Report Card

## What are Educational Savings Accounts (ESA)?

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public dollars reserved  
for an individual student  
into a debit account for  
his or her family to  
use as they see fit



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**Sent:** Monday, April 2, 2018 4:12 AM

**To:** Rep93

**Subject:** Feinstein Calls For Bipartisan Process On 9th Circ. Pick



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## TOP NEWS

### Feinstein Calls For Bipartisan Process On 9th Circ. Pick

Sen. Dianne Feinstein, D-Calif., defended her state's bipartisan judicial nomination process Friday in the wake of the death of U.S. Circuit Judge Stephen Reinhardt, saying she would defend the Ninth Circuit from a "partisan attack" by President Donald Trump. [Read more »](#)

### Consovoy McCarthy Will Represent Trump In Emoluments Suit

Consovoy McCarthy Park PLLC announced on Friday that it will represent President Donald Trump in a Maryland federal lawsuit alleging his undivested business interests violate the U.S. Constitution, specifically emoluments clauses that bar gifts or payments from foreign powers. [Read more »](#)

Analysis

### Climate Change Gap Between Trump, Courts Poised To Grow



[Listen to our new podcast here](#)

## LAW FIRMS

Arnold & Porter

Barnhouse Keegan

Brann & Isaacson

A flurry of recent court rulings ordering federal agencies to beef up their climate change reviews for energy development projects lays bare the rift between the judicial and executive branches over the issue, a rift experts say will only widen with President Donald Trump's demand that agencies scrub climate change from their environmental reviews. [Read more »](#)

Analysis

### **Step Up On Pay Equity Or Get Caught Flat-Footed, Attys Warn**

More and more states are passing laws making it easier for workers to sue their employers over unfair gaps in pay and win more money doing it, putting the onus on businesses to get ahead of the trend or risk getting swept up in a wave of litigation, experts say. [Read more »](#)

Analysis

### **Expanded OMB Oversight Could Cause Taxpayer Headaches**

Expansion of the Office of Management and Budget's authority to review certain regulations issued by the U.S. Treasury and the IRS, now being negotiated, could burden taxpayers and tax practitioners with costly delays in the issuance and implementation of guidance, particularly with regard to the new tax law. [Read more »](#)

Feature

### **NJ AG Division Head Focused On Next Generation Of Leaders**

Now leading the Division of Law in the New Jersey Attorney General's Office after more than two decades there, Michelle Miller is looking to build up her staff while maintaining current policies and developing the next generation of attorneys who will guide an institution she said needs to be a "rock solid, steady hand" in helping to run state government. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

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Brown Rudnick  
Brownstein Hyatt  
Clifford Chance  
Cohen Milstein  
Consovoy McCarthy  
Cooley  
Crowell & Moring  
DLA Piper  
Dentons  
Dorsey & Whitney  
Drinker Biddle  
Feldman Shepherd  
Foley & Lardner  
Fortney & Scott  
Gibson Dunn  
Greenberg Traurig  
Gupta Wessler  
Hogan Lovells  
Holland & Hart  
Holland & Knight  
Jackson Lewis  
Jones Day  
Keller Rohrback  
Kemp Smith  
Kim & Chang  
Kirkland & Ellis  
Latham & Watkins  
Linklaters  
Littler Mendelson  
Lowenstein Sandler  
Manatt Phelps  
Mayer Brown  
McCracken Stemerman  
McDermott Will  
McGuireWoods  
McMonagle Perri  
Morgan Lewis  
Morrison & Foerster

## **Va. High Court Lifts Hurdle For Renewable Energy Purchases**

The Virginia Supreme Court on Thursday cemented a decision by a state regulator that makes it easier for customers there to buy renewable energy, in a blow for Dominion Energy. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

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### **Supreme Court Urged To Review LAX 'Labor Peace' Deals Spat**

The National Right to Work Legal Defense Foundation joined other business interest groups urging the U.S. Supreme Court to review Los Angeles' requirement that airport businesses accept "labor peace agreements" with any union requesting one, saying Thursday the provision flies in the face of federal law and upends labor-management relations. [Read more »](#)

## **REAL ESTATE**

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### **Texas AG Wants Austin's Short-Term Rental Ordinance Nixed**

Texas Attorney General Ken Paxton on Thursday appealed to the state's Third Court of Appeals, asking it to overturn a trial court's decision that paved the way for the city of Austin's "stringent ordinance" related to short-term rentals to take effect, arguing that the rules are unconstitutional. [Read more »](#)

## **EMPLOYMENT**

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### **Wellness Rule Clarity May Wait For New Commish, EEOC Says**

The U.S. Equal Employment Opportunity Commission told a Washington, D.C., federal judge on Friday that it may not put out new rules for incentivizing workplace wellness programs until Congress confirms outstanding

Munger Tolles  
Nixon Peabody  
Ogletree Deakins  
Orrick Herrington  
Paul Weiss  
Perkins Coie  
Polsinelli  
Powers Pyles  
Quinn Emanuel  
Reed Smith  
Riley Safer  
Scharf-Banks  
Seyfarth Shaw  
Sidley Austin  
Skadden  
Starn O'Toole  
Steptoe & Johnson LLP  
Stoel Rives  
Sullivan & Cromwell  
Venable LLP  
Wachtell Lipton  
Wiley Rein  
Williams & Connolly  
Wilson Sonsini

## **COMPANIES**

AARP Inc.  
AT&T Inc.  
American Bar Association  
American Civil Liberties Union  
American Society Of Composers  
Authors & Publishers  
American Trucking Associations  
Inc.  
Andersen Corporation  
Apple Inc.  
Arctic Slope Regional Corp.  
Association of Corporate Counsel  
BTI Consulting Group Inc.

nominees for two seats on the commission, including the chair. [Read more »](#)

### **Ex-Pa. AG's Immunity Defense Can't End Retaliation Claims**

Pennsylvania's disgraced former attorney general's erstwhile position as a government official does not fully immunize her from claims lodged by a group of former investigators that she used her position to retaliate against them, a federal judge ruled Thursday. [Read more »](#)

### **Probe NLRB Auditor Over Disclosures, Nonprofit Says**

The nonprofit National Right to Work Foundation on Thursday asked for an investigation into whether the National Labor Relations Board's inspector general improperly disclosed confidential agency deliberations in two recent reports that examined member William Emanuel's participation in a controversial joint employment case. [Read more »](#)

## **CYBERSECURITY & PRIVACY**

### **NYC To Roll Out Cybersecurity App, Strengthen Public Wi-Fi**

New York City is planning to boost its cybersecurity posture by making available to its residents an app that will alert them to suspicious activity on their mobile phones and by fortifying its public Wi-Fi networks, the city's mayor said Thursday. [Read more »](#)

## **INTERNATIONAL TRADE**

### **US Keeps Hammering China With New Trade Barrier Findings**

The Trump administration's open rebuke of Chinese trade policy continued Friday as the White House released its annual update on commercial barriers around the globe and took broad swipes at Beijing's rules shielding its

Brunswick Corp.

CSP Inc.

Center for Internet Security

Citizens for Responsibility and Ethics in Washington

Competitive Enterprise Institute

Deloitte Touche

Dominion Energy Inc.

Ennis Inc.

Facebook

Ford Motor Company

Google Inc.

IAC/InterActiveCorp

Kaufman Rossin & Co.

Kraft Foods Inc.

Lyft Inc.

Major Lindsey & Africa

McDonald's Corporation

Melaleuca Inc.

National Immigration Law Center

National Right to Work Legal Defense Foundation

Natural Resources Defense Council

Public Broadcasting Service

Public Company Accounting

Oversight Board

Quill Corp.

Service Employees International Union

Southern Environmental Law Center

Spokeo Inc.

Spotify Technology SA

Texas Public Policy Foundation

The American Law Institute

The Harry Fox Agency Inc.

Trump Organization Inc.

Twitter Inc.



largest industrial and technological companies.  
[Read more »](#)

## BANKRUPTCY

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### House Panel Skewers Puerto Rico Fiscal Board's Performance

The federal board charged with stewarding Puerto Rico's financial rehabilitation has fallen well short of expectations since it was installed nearly two years ago, a U.S. House committee said in a letter Thursday, complaining the board must do more to reach debt restructuring deals with the territory's creditors. [Read more »](#)

## TAX

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### NY Passes \$168.3B Budget, Becoming 1st To Tackle TCJA

The New York Legislature passed a \$168.3 billion budget early Saturday that includes the first attempt by a state to take on parts of the recent federal tax overhaul, rejiggering the state tax code, creating an optional payroll tax and allowing for the creation of state and local charitable funds to promote donations in exchange for tax breaks. [Read more »](#)

## IMMIGRATION

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### 9th Circ. Allows Refugee Family Ban Challenge To Proceed

The Ninth Circuit on Thursday refused to vacate an injunction that has prevented the Trump administration from carrying out its October ban on refugee admissions from 11 countries, remanding the case to determine if the administration is complying with the terms of that injunction. [Read more »](#)

### Teen Detainees Win Block On Abortion Ban, Class Cert.

The Trump administration can't prevent detained immigrant teenagers from getting abortions, a Washington, D.C., federal judge held Friday in a decision granting class

U.S. Chamber of Commerce

Wayfair LLC

Zeughauser Group LLC

## GOVERNMENT AGENCIES

Bureau of Indian Affairs

Bureau of Labor Statistics

Bureau of Land Management

Bureau of Reclamation

Confederated Tribes of the Colville Reservation

Copyright Royalty Board

Council of Inspectors General on Integrity and Efficiency

Council on Environmental Quality

Delaware Court of Chancery

Equal Employment Opportunity Commission

Executive Office of the President

Federal Communications Commission

Federal Election Commission

Federal Energy Regulatory Commission

Federal Trade Commission

Indian Health Service

Internal Revenue Service

International Trade Commission

Kiowa Tribe of Oklahoma

Legal Services Corp.

Los Angeles World Airports

Lumbee Tribe of North Carolina

Maryland Attorney General's Office

National Labor Relations Board

Native Village of Barrow

Navajo Nation

New Jersey Attorney General's Office

New Jersey Legislature

certification to the girls and finding the policy may violate their constitutional rights. [Read more »](#)

### **Calif. AG Offers Guidelines On Immigration Enforcement Laws**

The California Justice Department has issued guidelines to local law enforcement agencies on a new law that imposes limits on how they can aid federal immigration enforcement, as the state gears up for a legal battle with the federal government over its sanctuary immigration policies. [Read more »](#)

### **States, ACLU Urge Justices To Uphold Pause On Travel Ban**

The American Civil Liberties Union, immigration law scholars and states such as New York, California and Massachusetts were among the dozens of entities that filed briefs Friday urging the U.S. Supreme Court to uphold a lower court's injunction that called for a pause of the Trump administration's ability to implement a travel ban for nationals of primarily Muslim countries. [Read more »](#)

## **NATIVE AMERICAN**

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### **Feature**

### **White House Still Filling Agency Ranks For Indian Country**

The Trump administration has made significant headway putting federal officials serving Native American tribes and their members in place, but several key appointments are held up in the confirmation process, while other important positions remain open after early selections fell through. Here, Law360 brings you up to speed on the Trump administration's progress filling the roles that are crucial to Indian Country. [Read more »](#)

### **Texas Tribe Can Keep Operating Bingo Machines, For Now**

The state of Texas can't yet stop a Pueblo tribe from operating electronic bingo machines on

Office of Surface Mining  
Reclamation and Enforcement

Office of the U.S. Trade  
Representative

Oglala Sioux Tribe

Quapaw Tribe of Oklahoma

U.S. Air Force

U.S. Commission on Civil Rights

U.S. Copyright Office

U.S. Department of Energy

U.S. Department of Health and  
Human Services

U.S. Department of Housing and  
Urban Development

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection  
Agency

U.S. Forest Service

U.S. House of Representatives

U.S. Immigration and Customs  
Enforcement

U.S. Senate

U.S. Supreme Court

U.S. Uniform Law Commission

United States District Court for the  
Eastern District of Pennsylvania

World Trade Organization

Ysleta del Sur Pueblo

its reservation, a Texas federal judge said Thursday, adopting a magistrate judge's recommendation but rejecting his reasoning. [Read more »](#)

### **Mich. Tribe's Battle For Federal Recognition Partially Cut**

A D.C. federal judge on Thursday kept afloat part of a Michigan band of Native Americans' suit against the United States over its lack of federal recognition, refusing to toss claims challenging the Bureau of Indian Affairs' 2015 regulations that barred the band from repeting for recognition. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **NYC Official Quits FCC Committee, Citing Industry Bias**

New York City's chief technology officer has left a Federal Communications Commission advisory board that works on broadband access equality, becoming the second big-city official to defect this year over an alleged tilt toward industry priorities. [Read more »](#)

### **Senators Oppose FCC's Planned Lifeline Eligibility Changes**

A group of 10 senators on Thursday urged the Federal Communications Commission to rethink its proposed shakeup to the Lifeline subsidy program, saying the changes would cut off service for many of the program's recipients. [Read more »](#)

## **WHITE COLLAR**

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### **Ex-Ill. Rep. Fights Indictment Over Alleged Misuse Of Funds**

An ex-Illinois congressman indicted for allegedly misspending over \$100,000 in campaign and government funds railed at federal prosecutors Wednesday for pursuing the case, likening them in a Seventh Circuit brief to doomsday prophets who cling to their

prediction the world will end even after the date has passed. [Read more »](#)

## Q&A

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### Q&A

#### **Goodwin Liu Talks Academia, Constitutional Law, Oxtail Stew**

California Supreme Court Associate Justice Goodwin Liu discusses his interest in constitutional law, the transition from academia to judgeship, and the challenges that Asian-Americans currently face in the legal industry, as well as some of his personal hobbies. [Read more »](#)

## EXPERT ANALYSIS

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#### **Single Factor Income Apportionment: Inconsistent Standard**

A majority of states claim that in-state sales are sufficient nexus to collect corporate income tax from businesses physically located across state lines, but income apportionment methods are inconsistent. Companies need to be prepared for the day one state seeks to collect a share of income tax that's already been paid to another, says Glenn Newman of Greenberg Traurig LLP. [Read more »](#)

#### **McDonald's Deal Leaves Status Quo On Joint-Employer Test**

With its recent agreement to settle numerous high-profile disputes over whether it is a joint employer with its franchisees, McDonald's has avoided prolonged litigation and a potentially adverse decision that could have had sweeping ramifications for franchisors and their franchisees nationwide, says Steven Gutierrez of Holland & Hart LLP. [Read more »](#)

#### **Prosecutors Should Be Wary Of Overreach After Marinello**

The U.S. Supreme Court's rejection of the government's broad interpretation of a criminal tax obstruction statute in *Marinello* may have

implications for special counsel Robert Mueller's indictments and the case involving alleged leaks from the Public Company Accounting Oversight Board, say attorneys with Brown Rudnick LLP. [Read more »](#)

### **ITC's US Steel Decision Unlikely To Have Broad Impact**

In a long-awaited decision, the U.S. International Trade Commission ruled this month that a complainant alleging price-fixing as an unfair act under Section 337 must also allege an antitrust injury, as would be required in federal district court. But the decision is unlikely to apply beyond the narrow area of standing in antitrust cases, says David Hickerson of Foley & Lardner LLP. [Read more »](#)

#### **Opinion**

### **Music Licensing Reform Is Singing The Same Old Song**

The recently introduced Music Modernization Act has received widespread support from most parts of the industry and would be an improvement over the status quo. However, the MMA reinforces many of the long-standing aspects of music licensing that hinder competition, say Thomas Lenard of the Technology Policy Institute and Lawrence White of the NYU Stern School of Business. [Read more »](#)

## **LEGAL INDUSTRY**

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#### **Feature**

### **5 Ways To Know You're Ready To Go In-House**

Whether it's a desire to be part of a cohesive team working toward a common goal or to apply a passion for business, there are a variety of reasons for both new and experienced lawyers to consider an in-house position. Here, Law360 looks at five indicators that can help attorneys decide whether in-

house jobs are suitable for their lifestyles and professional goals. [Read more »](#)

### **McDermott Nabs 50 DLA Piper Attys, Expects \$100M Boost**

Illinois-based McDermott-Will & Emery LLP has hired approximately 50 DLA Piper attorneys across the country for its real estate finance, employment and litigation groups and has plans to open a new office in San Francisco this year, according to an internal memo Law360 obtained Friday. [Read more »](#)

### **Foley, Gardere Strike Deal To Form \$830M Revenue Firm**

Foley & Lardner LLP and Gardere Wynne Sewell LLP said Friday they have agreed to combine, giving Foley a significant presence in the growing legal hot spot of Texas and pushing the new firm up to the top tier of BigLaw with a combined \$830 million in revenue. [Read more »](#)

#### **Podcast**

### **Law360's Pro Say: Is Time Up For BigLaw Arbitration Pacts?**

On the latest episode of Law360's Pro Say podcast, we discuss how Munger Tolles dropping mandatory arbitration agreements may be the start of BigLaw's #MeToo reckoning; Oracle's billion-dollar copyright case against Google; associates held in contempt for following partners' orders; and a famous drummer-turned-doctor who rushed to the aid of a juror during his own medical malpractice trial. [Read more »](#)

#### **Feature**

### **GC Cheat Sheet: The Hottest Corporate News Of The Week**

More than a dozen attorneys have attained all-star recognition among corporate counsel for at least the second consecutive year for commitment to their clients, a report found that leaders of businesses' legal departments value unmatched client focus and experience from their outside counsel above all other traits, and

Vimeo General Counsel Michael Cheah spoke to Law360 about why he's on the front lines of the fight over the future of net neutrality. These are some of the stories in corporate legal news you may have missed in the past week. [P B](#)  
[Read more »](#)

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

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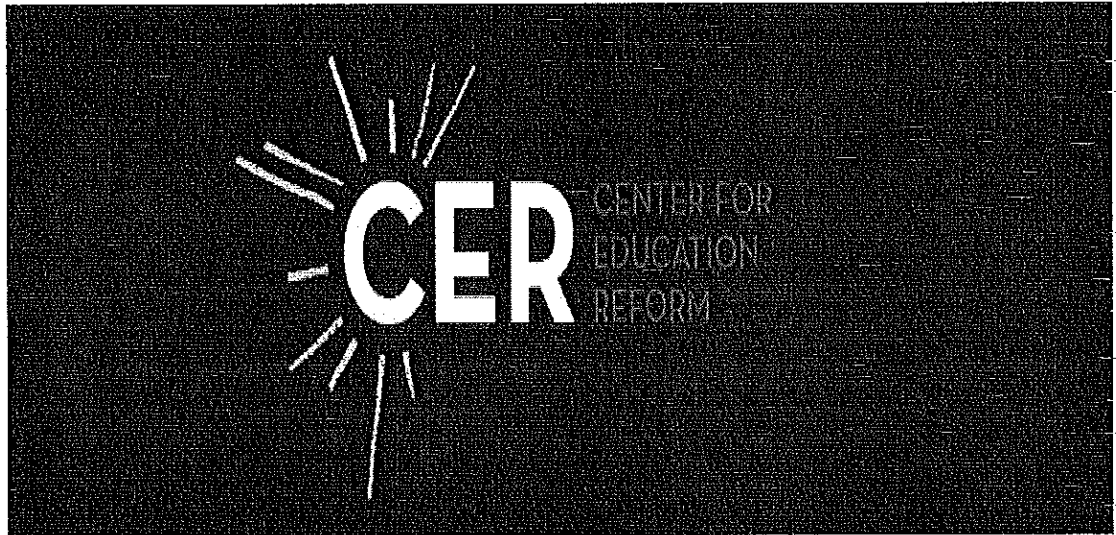
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# newswire@

A weekly report on education news and commentary you won't find anywhere else — from the nation's leading voice on education innovation and opportunity.

= A

**CAUTION:** This newswire contains serious and thought-provoking commentary on teacher pay and teacher strikes.

**IN LIGHT OF THE TEACHER STRIKES**, we are compelled to bring you some facts, research and data about teacher pay that we hope will enlighten and inform readers and help you avoid simply falling into the trap of saying to yourself, "Oh wow, this is awful that we pay teachers so poorly..." Indeed, we



do pay teachers poorly, and the pay scales and structures of how teachers are hired, rewarded, retained and paid later in retirement are completely broken. This is not an exhaustive analysis, just a smattering of thoughts that should propel you to do your research before jumping to conclusions.

**MOST ARE OUTRAGED BY TEACHER PAY LEVELS.** How bad are they, really? The answer is, It depends. Confirms the California education blog ED100: "It is difficult to accurately compare teacher pay with private sector pay, because they work differently. In a simple comparison, teacher salaries can seem worse than they are. Private-sector workers' retirement dollars flow through paycheck deductions and build up in a way that is easy to count. They show up on a monthly statement. They accumulate in an account... Teacher pensions, by contrast, don't accumulate. Like a life insurance contract, teacher pensions are a promise of future payments. The 'payout' on this contract varies mostly on how long the beneficiary lives." Incidentally, that payout results in teachers being able to retire and earn nearly their full salary for every year of their lives afterward.

**Then there are union dues**, which can be another \$600-\$1,000 a year, with no obvious benefit other than to be told why your profession is underpaid and encouraged to strike... This why tens of thousands of teachers oppose these compulsory paycheck fees, teachers like California's Rebecca Friedrichs who took her case to the Supreme Court and Illinois' Mark Janus who is awaiting the High Court's decision on his challenge (which will likely be handed down this June). (For background reading, see this op-ed by CER's CEO, Jeanne Allen, and listen to this podcast with Mark Mix, president of the organization that represents Mark Janus.)

**STRIKING FOR THE WRONG THING?** The teacher unions won't tell them, but the teachers who are striking across the country aren't going to solve anything even if the legislatures give them an annual raise. Why such a strident statement? Consider the following number: **\$1,000 PER PUPIL**. That's the annual cost of employee pensions. Imagine a school of 600 students

— that's \$600,000! Let's just say half those funds could go to teachers instead of the state pension coffers upfront. There are approximately 26 classroom teachers in a school that size, if we are talking a traditionally organized school. If you took just half of those funds and put them in teachers' salaries in that school, they'd be earning another \$11,000 a year each! Please note that these funds are above and beyond employee contributions, Social Security and taxes.

**LET'S TALK MORE ABOUT PENSIONS.** As teachers retire they will need to access the pensions they were promised and which the state has paid into. Those funds are paid by the current crop of teachers, to the tune of ten percent of their earnings. Let's take the average pay for an Oklahoma teacher — \$50,000 (which is equivalent to about \$76,000 in Stamford, Connecticut. For all you *New York Times* readers, the cost of living in the Northeast is between 40-60% higher). According to a study from the National Center for Analysis of Longitudinal Data in Education Research, "On average across state plans, over ten percent of current teachers' earnings are being set aside to pay for previously accrued pension liabilities. This amounts to a large reduction in real operating spending per student. . . . A significant fraction of the resources allocated toward teacher compensation in current public education budgets *is not being invested in resources to educate today's students at all.*"

**WHAT TO DO?** Researchers who have been studying this issue for years argue that there are several policy changes that could favor teachers while they work and reduce the pension burden that accumulates on states that are constantly threatened by shifting economic conditions: "(1) transition teachers to defined-contribution retirement plans, (2) transition teachers to cash-balance retirement plans, and (3) tighten the link between funding and benefit formulas within the current defined benefit structure."

**IF YOU REALLY WANT TO GET SMART** on teacher pensions, you need to spend some time here. The solutions guiding what teachers make and what

the state spends, on top of pension costs. There have been dramatic increases in the past ten years in public pension and benefit spending.

**TIME TO RETHINK TEACHER PAY.** We're rethinking everything else — higher ed, K-12, workforce, school safety — so how about teaching? First, compensation is wildly uneven, being delivered to teachers through schools based on state rules governing experience and pay-schedules that often see teachers meeting the peak of their salary years after most other professions, in their 50s! As respected researcher Marguerite Roza writes for the left-leaning Brookings Institution, ***"...a disproportionate amount of available salary funds is concentrated on teachers at the end of their career."***

"District leaders are steering a disproportionate share of the highly constrained public education funds toward a small segment of the teaching force — the group of teachers *least* likely to leave teaching. The National Center for Education Statistics Teacher Follow up Survey reports that while fewer than four percent of teachers with more than 20 years' experience leave before retirement, 13.5 percent of teachers with under five years' experience do. The lower turnover among senior teachers might be a result of the higher salaries, or of proximity to pension earnings — we don't know for sure... But current distribution patterns leave few dollars for pay raises in a teacher's earlier years where turnover is most acute.

***"These practices not only result in lower salaries for most teachers, they also channel funds in ways that jeopardize equity across schools and create havoc for district financial stability."***

#### **DID YOU KNOW?**

"Most public-school teachers' salaries are determined by years in the classroom and degrees held. But a new study from the Manhattan Institute shows that the premium we pay for teacher experience is far greater than is typically acknowledged."

**In Memory.** Oh, Pat, you would have a field day with this newswire! A relentless data gatherer, truth seeker, amazing communicator and reporter, our dear friend and colleague Pat Korten (who we were able to lure out of retirement to help us with writing, editing and policy guidance, after having spent more than 30 years in the communications field), left us unexpectedly and far too soon last week. He would have edited this piece with depth and perfection, attributes he offered to us and to so many others in all his deeds. We will miss him, but know his abundant qualities are now being deployed by God.

Founded in 1993, the Center for Education Reform aims to expand educational opportunities that lead to improved economic outcomes for all Americans – particularly our youth – ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

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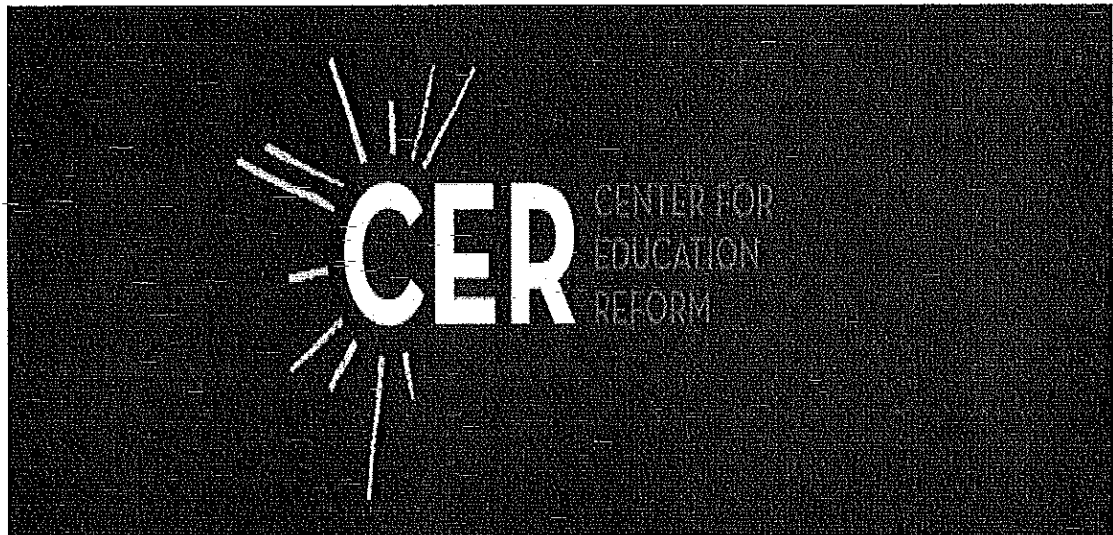
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# newswire@

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**STRIKING FOR THE WRONG THING?** The teacher unions won't tell them, but the teachers who are striking across the country aren't going to solve anything even if the legislatures give them an annual raise. Why such a strident statement? Consider the following number: **\$1,000 PER PUPIL**. That's the annual cost of employee pensions. Imagine a school of 600 students — that's \$600,000! Let's just say half those funds could go to teachers instead of the state pension coffers upfront. There are approximately 26 classroom

teachers in a school that size, if we are talking a traditionally organized school. If you took just half of those funds and put them in teachers' salaries in that school, they'd be earning another \$11,000 a year each! Please note that these funds are above and beyond employee contributions, Social Security and taxes.

**LET'S TALK MORE ABOUT PENSIONS.** As teachers retire they will need to access the pensions they were promised and which the state has paid into. Those funds are paid by the current crop of teachers, to the tune of ten percent of their earnings. Let's take the average pay for an Oklahoma teacher — \$50,000 (which is equivalent to about \$76,000 in Stamford, Connecticut. For all you *New York Times* readers, the cost of living in the Northeast is between 40-60% higher). According to a study from the National Center for Analysis of Longitudinal Data in Education Research, "On average across state plans, over ten percent of current teachers' earnings are being set aside to pay for previously accrued pension liabilities. This amounts to a large reduction in real operating spending per student. . . . A significant fraction of the resources allocated toward teacher compensation in current public education budgets *is not being invested in resources to educate today's students at all.*"

**WHAT TO DO?** Researchers who have been studying this issue for years argue that there are several policy changes that could favor teachers while they work and reduce the pension burden that accumulates on states that are constantly threatened by shifting economic conditions: "(1) transition teachers to defined-contribution retirement plans, (2) transition teachers to cash-balance retirement plans, and (3) tighten the link between funding and benefit formulas within the current defined benefit structure."

**IF YOU REALLY WANT TO GET SMART** on teacher pensions, you need to spend some time here. The solutions guiding what teachers make and what the state spends, on top of pension costs. There have been dramatic increases in the past ten years in public pension and benefit spending.

**TIME TO RETHINK TEACHER PAY.** We're rethinking everything else — higher ed, K-12, workforce, school safety — so how about teaching? First, compensation is wildly uneven, being delivered to teachers through schools based on state rules governing experience and pay schedules that often see teachers meeting the peak of their salary years after most other professions, in their 50s! As respected researcher Marguerite Roza writes for the left-leaning Brookings Institution, ***"...a disproportionate amount of available salary funds is concentrated on teachers at the end of their career."***

"District leaders are steering a disproportionate share of the highly constrained public education funds toward a small segment of the teaching force — the group of teachers *least* likely to leave teaching. The National Center for Education Statistics Teacher Follow up Survey reports that while fewer than four percent of teachers with more than 20 years' experience leave before retirement, 13.5 percent of teachers with under five years' experience do. The lower turnover among senior teachers might be a result of the higher salaries, or of proximity to pension earnings — we don't know for sure... But current distribution patterns leave few dollars for pay raises in a teacher's earlier years where turnover is most acute.

***"These practices not only result in lower salaries for most teachers, they also channel funds in ways that jeopardize equity across schools and create havoc for district financial stability."***

#### **DID YOU KNOW?**

"Most public-school teachers' salaries are determined by years in the classroom and degrees held. But a new study from the Manhattan Institute shows that the premium we pay for teacher experience is far greater than is typically acknowledged."

**In Memory.** Oh, Pat, you would have a field day with this newswire! A relentless data gatherer, truth seeker, amazing communicator and reporter,



our dear friend and colleague [Pat Korten](#) (who we were able to lure out of retirement to help us with writing, editing and policy guidance, after having spent more than 30 years in the communications field), left us unexpectedly and far too soon last week. He would have edited this piece with depth and perfection, attributes he offered to us and to so many others in all his deeds. We will miss him, but know his abundant qualities are now being deployed by God.

Source: [The Center for Education Reform](#)

Founded in 1993, [the Center for Education Reform](#) aims to expand educational opportunities that lead to improved economic outcomes for all Americans – particularly our youth – ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

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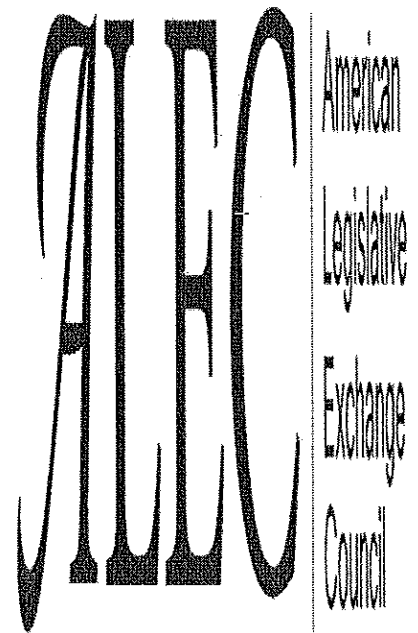
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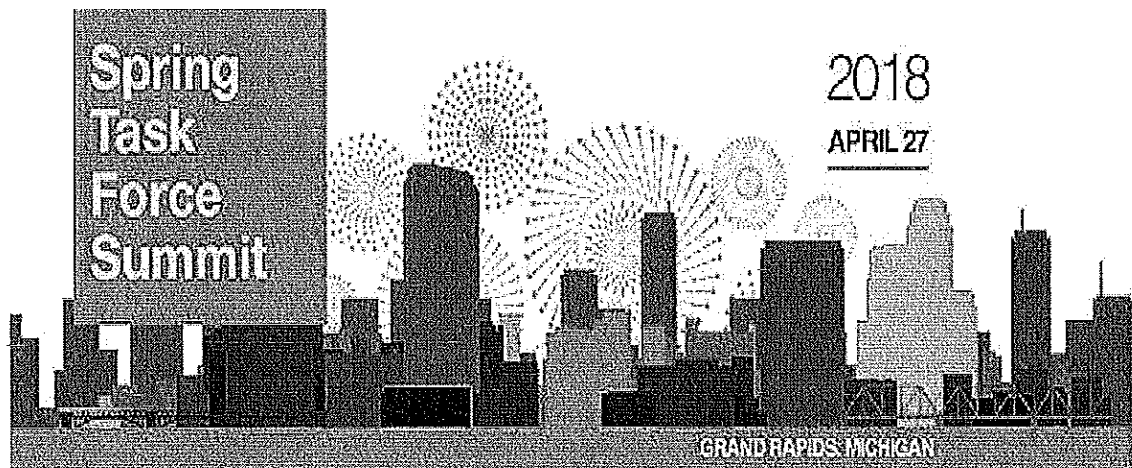
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## **Policy Spotlight: 30-Day Notification**

As ALEC CEO, Lisa Nelson, mentioned in her monthly update, the best ideas are made even better when shared. As you make plans to attend the Spring Task Force Summit in Grand Rapids, MI, what perspective or unique point of view can you bring to discussions? Everyone benefits from the exchange of ideas that takes place at ALEC.

Last week, each task force director distributed draft model policy for consideration at the Spring Task Force Summit. Included on each task force's webpage are draft

agendas for the subcommittees, working groups and the Task Force meetings. Each task force is linked at the bottom of this email. Please take a moment to visit their pages and learn more about what will be discussed at the summit. We look forward to seeing you in Grand Rapids, MI!

### Spring Task Force Summit

**When:** April 27, 2018

**Where:** The Amway Grand Plaza  
Grand Rapids, MI

**Early Bird Deadline:** April 6, 2018



### Make your reservation at the Amway Grand Plaza

Book now through **April 6, 2018\*** at the ALEC  
rate of **\$179 per night.**

*\*based on availability*

[Book Now](#)

## ALEC Task Force Information

Civil Justice

Education and Workforce Development

Commerce, Insurance and Economic  
Development

Energy, Environment and Agriculture

Communications and Technology  
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Health and Human Services

Tax and Fiscal Policy

Criminal Justice

### Full Conference Agenda

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**Questions?** Contact us at [meetings@alec.org](mailto:meetings@alec.org)

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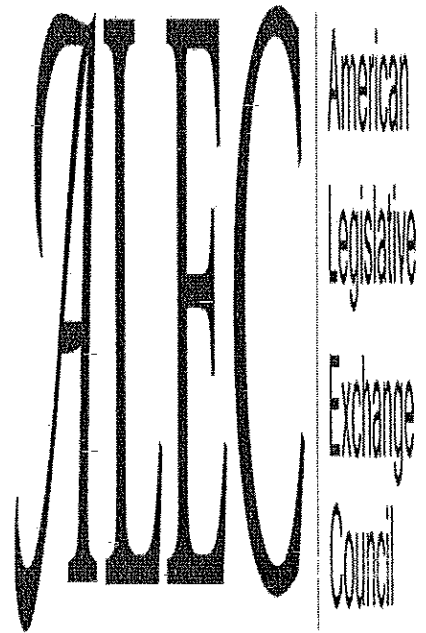
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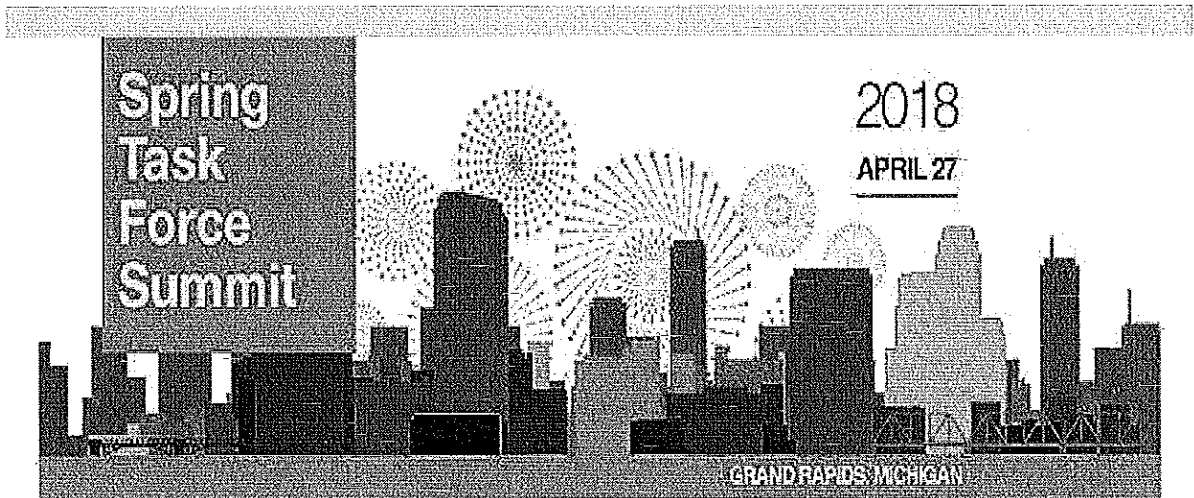
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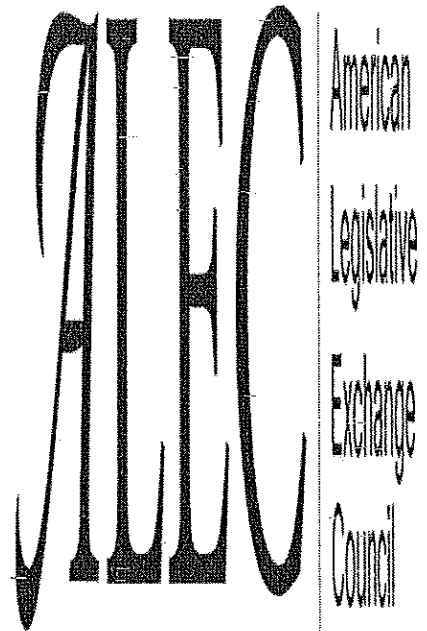
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ALEC  
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Friday, April 13, 2018

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## TOP NEWS

### Feature

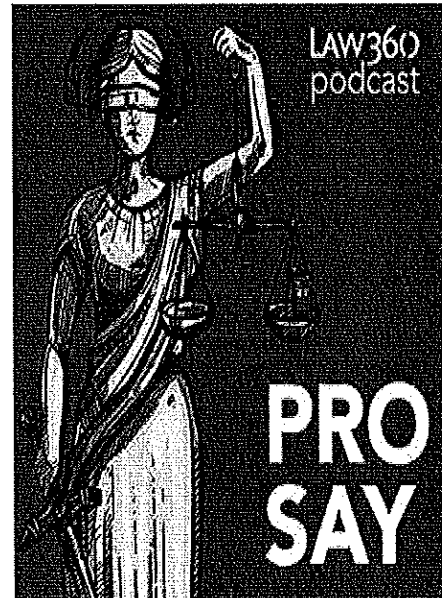
#### **For La. Judicial Nominee, The Safe Approach Turns Risky**

Wendy Vitter, a Republican lawyer tapped by President Donald Trump for the federal bench in Louisiana, may be in store for a tumultuous fight for her appointment despite following the typically pallid game plan employed by nearly all judicial picks when they appear before congressional confirmation hearings. [Read more »](#)

#### **Judiciary Panel To Push Mueller Bill, Grassley Says**

Senate Judiciary Committee Chairman Chuck Grassley intends to move forward on a bill to protect Special Counsel Robert Mueller from being fired, he said Thursday, despite his own misgivings with the measure and concerns in his party. [Read more »](#)

#### **Trump Demands Changes To EPA Air Pollution Programs**



[Listen to our new podcast here](#)

### LAW FIRMS

Allen & Overy

Arnold & Porter

Baker McKenzie

President Donald Trump on Thursday instructed the U.S. Environmental Protection Agency to make it easier for states and industries to comply with national air emissions standards for pollutants like ozone, nitrogen dioxide and lead, a move promptly denounced by environmentalists [Read more »](#)

### **Senate Confirms Trump's Judicial Picks In Kan., Ky.**

The Senate confirmed President Donald Trump's picks for judgeships in Kansas and the Western District of Kentucky Thursday, sending two private practice attorneys to the federal bench. [Read more »](#)

### **Facebook Drops Fight Against Calif. User Privacy Proposal**

Facebook is backing off its opposition to a proposed ballot initiative in California that would allow consumers to find out more information about and have more control over the way businesses collect, use, share and sell their personal data, supporters of the initiative said. [Read more »](#)

### **Bill To Hike Judges' Salaries Heads To NJ Governor's Desk**

A New Jersey bill that would give salary increases to certain state workers, including judges who have gone without raises for nearly a decade and make less than their federal counterparts, passed both houses of the state legislature Thursday and now heads to Gov. Phil Murphy's desk. [Read more »](#)

## **BANKING & SECURITIES**

### **Dems Want Bank CEO Info On 'Quid Pro Quo' Army Sec. Deal**

A pair of senior House Democrats on Thursday asked a bank CEO who was reportedly promised the Army secretary's role in exchange for loans to former Trump campaign chairman Paul Manafort to hand over information on those loans, and his contacts

Bryan Cave  
Covington & Burling  
Cravath Swaine  
DLA Piper  
Dechert  
Drinker-Biddle  
Faegre Baker  
Fenwick & West  
Foley & Lardner  
Frost Brown Todd  
Gibson Dunn  
Gupta Wessler  
Hinkle Law Firm  
Hogan Lovells  
Holland & Knight  
Jeffer Mangels  
Kirkland & Ellis  
Kostelanetz & Fink  
Kramer Levin  
Middleton Reutlinger  
Morgan Lewis  
O'Melveny & Myers  
Paul Hastings  
Potter Minton  
Ropes & Gray  
Saul Ewing  
Shearman & Sterling  
Sheppard Mullin  
Siegel & Yee  
SmithAmundsen LLC  
Steptoe & Johnson LLP  
Taft Stettinius  
Van Ness Feldman  
Wiley Rein  
Wilkinson Barker  
WilmerHale  
Womble Bond Dickinson

## **COMPANIES**

with the campaign, citing a letter from the U.S. Department of Defense they said had appeared to validate the allegation. Read more »

## ENERGY & ENVIRONMENTAL

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### **Senate Confirms Faegre Baker's Wheeler For EPA's No. 2 Post**

The U.S. Senate on Thursday confirmed Faegre Baker Daniels LLP attorney and lobbyist Andrew Wheeler to serve as the U.S. Environmental Protection Agency's deputy administrator, putting in place a potential replacement who could step in as acting EPA chief if Administrator Scott Pruitt is fired or steps aside. Read more »

### **EPA To Let Calif. Tribes Design Own Water Quality Standards**

Two California Native American tribes will now have the ability to develop their own water quality standards within their reservations under the federal Clean Water Act just as states are authorized to do, the U.S. Environmental Protection Agency announced Thursday. Read more »

## HEALTH & LIFE SCIENCES

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### **States Expanding Efforts To Tackle Prescription Drug Prices**

State enforcers have played an important role in policing the pharmaceutical industry and prescription drug prices in particular, and their work in the area continues to expand, officials said during an event in Washington, D.C. on Thursday. Read more »

### **Visium Took Medicare Tips With 'Grain Of Salt,' Jury Hears**

Former Visium Asset Management trader Christopher Plaford took health spending policy tips from expert consultant David Blaszcak with "a grain of salt," getting information from others alongside the man

3M Company  
AAR Corporation  
AT&T Inc.  
AbbVie Inc.  
Airbnb Inc.  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Gaming Association  
Apple Inc.  
Association of American Railroads  
Barnes & Noble Inc.  
Booking.com BV  
Burford Capital LLC  
CTIA  
Cable News Network Inc.  
Charter Communications Inc.  
Comcast Corporation  
Competitive Carriers Association  
Competitive Enterprise Institute  
DISH Network Corporation  
Deerfield Management Co. LP  
Duke Energy Corporation  
ESPN Inc.  
Environmental Defense Fund Inc.  
Equifax Inc.  
Facebook  
FedEx Corporation  
FirstEnergy Corp.  
Gentiva Health Services, Inc.  
Google Inc.  
Home Box Office Inc.  
International Brotherhood of Electrical Workers  
International Trademark Association  
Johnson & Johnson

charged with feeding secret Medicare and Medicaid information to Wall Street, a Manhattan jury heard Thursday. [Read more »](#)

## IP & TECHNOLOGY

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### **Booking.com Asks Full 4th Circ. To Nix USPTO Atty Fee Rule**

Booking.com is pushing for an unusual fast-track appeal to the en banc Fourth Circuit after it was ordered to pay the U.S. Patent and Trademark Office a whopping \$76,000 in attorneys' fees even after winning a case. [Read more »](#)

## MEDIA & ENTERTAINMENT

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### **Major League Unions Want In On Sports Betting Rodeo**

As a 25-year-old federal ban on sports gambling nears its possible demise in the U.S. Supreme Court, unions representing players in the four major professional sports leagues Thursday demanded an equal voice in the legalization conversation that has been dominated by the states, the leagues' governing organizations and the gambling industry. [Read more »](#)

### **Invalid Arguments Raised In E-Filing Row, News Outfit Says**

A legal news organization told the Seventh Circuit on Thursday that an Illinois county court clerk should not be allowed to raise new arguments to the appellate panel that she did not make to the district judge who ordered her to make e-filed legal complaints available to the public immediately. [Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

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Analysis

### **What To Watch As The Surface Transportation Board Staffs Up**

Kinder Morgan  
Knorr-Bremse AG  
Major League Baseball Inc.  
Major League Baseball Players Association  
Medtronic Inc.  
Microsoft Corporation  
Murray Energy Corp.  
NBCUniversal Inc.  
NFL Enterprises LLC  
National Basketball Association  
National Basketball Players Association  
National Express Transit Corp.  
National Football League Players Association  
National Hockey League  
National Hockey League Players Association  
Nationwide Mutual Insurance Co.  
New Jersey State Bar Association  
News Corp.  
Northern Mariana Islands Retirement Fund  
Novartis AG  
Nuclear Energy Institute  
Planned Parenthood Federation  
Procter & Gamble Co.  
Russell Reynolds Associates Inc.  
SAIC Inc.  
Sierra Club  
Sinclair Broadcast Group, Inc.  
Southeastern Pennsylvania Transportation Authority  
Straight Path Communications Inc.  
TBS International Limited  
Tax Foundation  
The DIRECTV Group, Inc.  
The Fertilizer Institute

The Surface Transportation Board is inching closer to filling out its ranks if President Donald Trump's two nominees are confirmed, enabling the rail regulator to more swiftly tackle long-anticipated new rules to stimulate rail competition and smooth out high-profile rate and service disputes along the country's railways. [Read more »](#)

## REAL ESTATE

### Analysis

#### **LA Decision 'Blows The Myth' About Property Rental Rules**

A recent decision siding with a property owner in a dispute over an alleged illegal Los Angeles hotel operation has brought front and center that the city's antiquated code actually says nothing about short-term rentals — despite the common view that apartments must be rented long-term — and comes as Los Angeles grapples with the question of regulation. [Read more »](#)

## EMPLOYMENT

#### **Senate OKs Trump Pick For Deputy Labor Secretary**

The U.S. Senate on Thursday confirmed Patrick Pizzella as deputy labor secretary, filling one of several top political positions at the U.S. Department of Labor that have remained unfilled more than a year into President Donald Trump's administration. [Read more »](#)

#### **Trump's Labor Dept. Issues First New Opinion Letters**

The U.S. Department of Labor's Wage and Hour Division issued its first set of new opinion letters in nearly a decade Thursday, laying out its stances on when workers should be paid for health-related rest breaks and time spent traveling for work, and what forms of lump-sum

Thomson Reuters Corporation  
Time Warner Inc.  
Toyota Motor Corporation  
Tribune Media Co.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
U.S. Foods Inc.  
United Federation of Teachers  
Verizon Communications  
Viacom Inc.  
VirnetX Holding Corporation  
Wabtec Corporate  
Wolters Kluwer  
XTO Energy Inc.  
Xcel Energy Inc.  
eBay Inc.

## GOVERNMENT AGENCIES

Bureau of Citizenship and  
Immigration Services  
Bureau of Indian Affairs  
Bureau of Labor Statistics  
Cherokee Nation  
Consumer Financial Protection  
Bureau  
Department of Commerce  
Eastern Band of Cherokee Indians  
Equal Employment Opportunity  
Commission  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications  
Commission  
Federal Energy Regulatory  
Commission  
Federal Labor Relations Authority  
Federal Reserve System  
Federal Trade Commission



payment should be garnished for child support.  
Read more »

### **Labor Chief Defends Spiking Tip Pool Data To Senators**

Labor Secretary Alex Acosta on Thursday defended his decision not to disclose the share of workers' tips that the U.S. Department of Labor estimated employers would have pocketed under its December proposal to undo Obama-era restrictions on tip pooling in a relatively cordial hearing before a U.S. Senate appropriations subcommittee. Read more »

### **Cuomo Signs Law Beefing Up Public Unions Ahead Of Janus**

New York Gov. Andrew Cuomo signed legislation Thursday bolstering the rights of public-sector unions in the state, a preemptive strike against an anticipated decision by the U.S. Supreme Court siding with worker Mark Janus in his challenge to the constitutionality of so-called agency fees, a ruling that could deal a major blow to organized labor. Read more »

### **NJ Senate Sends Sick Leave Bill To Gov. Murphy's Desk**

New Jersey legislation that would require employers to provide earned sick leave to their workers in the state is now bound for Gov. Phil Murphy, with the state Senate on Thursday passing the bill that supporters have said would protect employees and public health in general. Read more »

## **COMPETITION**

### **AT&T-Time Warner Expert Says DOJ Has 'No Statistical Basis'**

AT&T and Time Warner sought Thursday to eviscerate every part of the economics of the U.S. Department of Justice challenge against their merger in D.C. federal court, presenting their own expert witness to systemically criticize virtually every conclusion, and every

Food and Drug Administration  
Government Accountability Office  
Illinois Supreme Court  
Indian Health Service  
Internal Revenue Service  
International Trade Administration  
Iowa Legislature  
Jamestown-S'Klallam Tribe  
La Jolla Band of Luiseno Mission Indians  
Morongo Band of Mission Indians  
NAFTA  
National Economic Council  
National Labor Relations Board  
Navajo Nation  
New Jersey Judiciary Court System  
New Jersey Legislature  
New York Attorney General's Office  
Occupational Safety and Health Administration  
Rincon Band of Luiseno Mission Indians  
Rural Utilities Service  
St. Croix Chippewa Indians of Wisconsin  
State Intellectual Property Office of the PRC  
Surface Transportation Board  
Texas Department of Public Safety  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor

unconsidered variable, to come from his counterpart. [Read more »](#)

## CONSUMER PROTECTION

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### **OMB Head At Helm Thwarts CFPB Autonomy, DC Circ. Told**

The D.C. Circuit judges hearing the former acting Consumer Financial Protection Bureau director's case to regain her post indicated in court Thursday that they are still weighing whether the 2010 law that created the CFPB carves out an exception to the 1998 law governing federal appointments. [Read more »](#)

### **Mulvaney Quizzed By Senators On CFPB Leadership, Data**

Consumer Financial Protection Bureau acting Director Mick Mulvaney told senators Thursday that if they don't like the job he is doing as the nation's top consumer financial watchdog, they must change the law to put him on more of a leash, as he fielded questions about the agency's rulemaking, enforcement activity, data collection and more. [Read more »](#)

## INTERNATIONAL TRADE

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### **Trump Reconsidering TPP As NAFTA Talks Trudge On**

A number of Republican senators revealed Thursday that President Donald Trump is considering rejoining the Trans-Pacific Partnership, the regional trade accord he abandoned soon after taking office before shifting his focus to reshaping the North American Free Trade Agreement. [Read more »](#)

### **Feds Look To Curb Trade Barriers For US Hardware Makers**

The U.S. Department of Commerce is developing a plan to counteract trade barriers that "arbitrarily discriminate" against U.S. producers of information and communication technology hardware, according to a filing

U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
Wage and Hour Division  
World Trade Organization

published in the Federal Register on Thursday.  
[Read more »](#)

### **US-China Spat Could Imperil Trade Growth, WTO Boss Warns**

The ever-escalating standoff between the U.S. and China may pose a significant threat to global trade at large if left unchecked, World Trade Organization Director-General Roberto Azevedo said Thursday, on the heels of a report that the rising tensions are already creating waves. [Read more »](#)

## **TAX**

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### **Future Tax Regulations No Longer Exempt From OMB Reviews**

Proposed tax regulations will no longer be exempt from the review process most other federal regulations undergo, the Office of Management and Budget and the U.S. Department of the Treasury announced Thursday in a memorandum of agreement. [Read more »](#)

#### **Analysis**

### **Tax Court Unlikely To Be Swayed By 1st Circ. IRA Ruling**

The U.S. Tax Court and the First Circuit recently reached opposite conclusions in two similar cases on the taxability of individual retirement account contributions, but the Tax Court may be hard-pressed to follow the appellate court's more taxpayer-friendly decision if it means weakening an important tool for the Internal Revenue Service to enforce tax laws. [Read more »](#)

### **IRS To Issue Tax Law Forms And Instructions By Summer**

The Internal Revenue Service will publish new forms and instructions related to the recent tax overhaul legislation by this summer, the agency's top official told lawmakers on Thursday. [Read more »](#)

### **OMB May Review Pass-Through Provision, Treasury GC Says**

The pass-through provision included in the recent federal tax overhaul legislation likely will be reviewed by the Office of Management and Budget, the U.S. Treasury Department general counsel told senators on Thursday. [Read more »](#)

### **NJ Assembly Passes Charitable Donation SALT Workaround**

A bill in the New Jersey Legislature that would provide property tax credits to taxpayers making certain qualified charitable donations — an effort to counter a provision in the federal tax reform law that limits federal state and local tax deductions to \$10,000 — passed both houses Thursday, making its way to Gov. Phil Murphy. [Read more »](#)

## **IMMIGRATION**

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### **US Gov't Is Sued Over Citizenship Question On Census**

The Trump administration is violating the U.S. Constitution and several federal laws by adding to the 2020 census a question about whether or not an individual is a U.S. citizen, according to a complaint filed in Maryland federal court on Thursday. [Read more »](#)

### **Migrant Caravan Requires More Border Agents, Congress Told**

Law enforcement representatives urged Congress to increase resources for border enforcement at a House Oversight Committee hearing Thursday to deal with a caravan of Central American migrants trying to cross the southwest border without authorization. [Read more »](#)

### **Trump Admin. Can't Deny DOJ Grants To 'Sanctuary' Cities**

A California federal judge granted a win to so-called sanctuary cities Wednesday by imposing a permanent, nationwide ban that

would prevent the Trump administration from placing certain immigration-related conditions on community policing grants administered by the U.S. Department of Justice. [Read more »](#)

### **Iowa Governor Signs Anti-Sanctuary City Law**

Iowa Republican Gov. Kim Reynolds on Tuesday signed into law a bill that would penalize sanctuary cities by cutting off all of their state funding. [Read more »](#)

### **Married Couples Sue Gov't For Detaining Immigrant Spouses**

A putative class of married couples has accused the government in Massachusetts federal court of unlawfully detaining and trying to deport immigrant spouses who are seeking permanent residency in the U.S. and are married to U.S. citizens. [Read more »](#)

## **NATIVE AMERICAN**

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### **Senate Panel OKs Indian Health Service, Contract Bills**

The Senate Committee on Indian Affairs approved bills on Wednesday that would overhaul the embattled Indian Health Service and give Native American tribes more control over how they run federal programs under contracts with the federal government. [Read more »](#)

### **Task Force Makes 11 Drug-Related Arrests On Tribal Lands**

The U.S. Department of the Interior on Wednesday announced 11 drug-possession arrests after a raid in New Mexico by a new joint task force that was launched as part of the federal government's steps to tackle the opioid crisis in Native American communities. [Read more »](#)

## **TELECOMMUNICATIONS**

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Feature

### **What's In Store For FCC Media Ownership Deregulation**

Under Chairman Ajit Pai, the Federal Communications Commission has set an aggressive agenda of relaxing or wholly scrapping rules intended to limit the influence of nationwide broadcasters and to keep media consolidation at bay. [Read more »](#)

### **Wireless Industry Group Presses FCC On High-Band Auctions**

The CTIA, an industry group representing wireless companies, is encouraging the Federal Communications Commission to quickly finalize plans for upcoming auctions in the 24 and 28 gigahertz bands and set dates for auctions in other high-frequency bands, in hopes of freeing as much spectrum as possible for the race to 5G. [Read more »](#)

### **FCC Commish Urges USDA Cooperation On Rural Broadband**

The U.S. Department of Agriculture must coordinate with the Federal Communications Commission to ensure a newly created \$600 million pilot program for rural broadband deployment is administered effectively, FCC Commissioner Michael O'Rielly said Wednesday. [Read more »](#)

### **EXPERT ANALYSIS**

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### **Unraveling FDA's Recent Flurry Of Tobacco Activity**

Last month, the U.S. Food and Drug Administration issued three advance notices of proposed rulemaking related to nicotine. However, tackling any of the issues raised would be a significant undertaking on its own, and some are skeptical that any of the proposals will move forward, says Jonathan Havens of Saul Ewing Arnstein & Lehr LLP. [Read more »](#)

## **What Cos. Need To Know About China**

### **70s New Market Regulator**

As part of a sweeping government restructuring plan announced last month, China is merging a range of government agencies into the new State Market Regulatory Administration. Multinational companies doing business in China must pay close attention to how functions within the newly consolidated agency will be organized, say attorneys with Ropes & Gray LLP. [Read more »](#)

### **Finance-Savvy Millennials Are Shifting Business Of Law**

The impact of millennials has already been felt within the legal community by our eagerness to embrace new technologies. One way that we will have potentially even more impact lies in our willingness to embrace new ways of developing business and financing law, says Michael Perich of Burford Capital LLC. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Firms Without Women Won't Get Our Business, GCs Say**

If a law firm hasn't made gender diversity a priority in its teams handling corporate cases, it won't be competitive for company business, a panel of general counsel for major companies said at a conference on women in the courtroom in Chicago Thursday. [Read more »](#)

### **No-Poach Guidance Caught In-House Counsel Off Guard**

Corporate legal departments were caught off guard by the U.S. Department of Justice's 2016 guidance signalling that the agency would criminally prosecute certain employment-related agreements between companies, and a panel of in-house leaders said Thursday they're waiting for further developments in the space. [Read more »](#)

## **Minority Lawyers Group Kicks Off Leadership Diversity Effort**

The Minority Corporate Counsel Association has partnered with Microsoft Corp. to launch a new data-driven initiative designed to give law firms and legal departments a road map for how to cultivate a more diverse bench of leaders, the organization said in a statement Thursday. [Read more »](#)

## **Fenwick To Move NYC Office To Tech Hub Flatiron District**

Fenwick & West LLP said Thursday it will more than double the footprint of its New York City office when it relocates to the technology-friendly Flatiron District, a move the firm said will benefit its tech and life sciences clients. [Read more »](#)

## **Law360's Weekly Verdict: Legal Lions & Lambs**

Hogan Lovells LLP topped this week's legal lions list, guiding client Novartis on an \$8.7 billion deal to take over gene therapy company Avexis, while Kirkland & Ellis LLP ended up a legal lamb after a jury found its client Apple willfully infringed a network security patent, potentially putting the tech giant on the hook for more than \$1.5 billion in damages. [Read more »](#)

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**From:** Rep93  
**Sent:** Friday, April 13, 2018 3:31 PM  
**To:** Snider, Grace  
**Subject:** FW: SURVEY and WEBSITE Link: School Based Health Care Work Group

**From:** Theresa.Hatton@governor.ohio.gov  
[mailto:Theresa.Hatton@governor.ohio.gov]  
**Sent:** Friday, April 13, 2018 1:41 PM  
**To:** 'raly@hpio.net' <raly@hpio.net>; 'jaysmith@ohioschoolboards.org' <jaysmith@ohioschoolboards.org>; 'mcropper@oft-aft.org' <mcropper@oft-aft.org>; 'djohnson@oft-aft.org' <djohnson@oft-aft.org>; LESLEY.SCOTT-CHARLTON@medicaid.ohio.gov; Peggy Lehner (DST) <SD06@ohiosenate.gov>; 'csolley@akronchildrens.org' <csolley@akronchildrens.org>; 'mwilmoth@akronchildrens.org' <mwilmoth@akronchildrens.org>; 'kgrayem@akronchildrens.org' <kgrayem@akronchildrens.org>; 'sarah.knepp@ohiosenate.gov' <sarah.knepp@ohiosenate.gov>; 'hamilton@basa-ohio.org' <hamilton@basa-ohio.org>; 'aly.deangelo@ohiohospitals.org' <aly.deangelo@ohiohospitals.org>; 'raly@hpio.net' <raly@hpio.net>; 'kathleen@raiseyourvoiceforkids.org' <kathleen@raiseyourvoiceforkids.org>; Jennifer.Davis@odh.ohio.gov; 'aweaver@oahp.org' <aweaver@oahp.org>; 'nathan@oda.org' <nathan@oda.org>; 'drgossard@ecpnetwork.com' <drgossard@ecpnetwork.com>; 'enimak@aol.com' <enimak@aol.com>; 'skincaid@ohiochildrenshospitals.org' <skincaid@ohiochildrenshospitals.org>; 'mpweisel@voryshcadvisors.com' <mpweisel@voryshcadvisors.com>; 'harriam@cpsboe.k12.oh.us' <harriam@cpsboe.k12.oh.us>; 'mcropper@oft-aft.org' <mcropper@oft-aft.org>; 'kmahler@ohioafp.org' <kmahler@ohioafp.org>; 'joan.hlinomaz@ketteringschools.org' <joan.hlinomaz@ketteringschools.org>; 'MARYKAY.IRWIN@NATIONWIDECHILDRENS.ORG' <MARYKAY.IRWIN@NATIONWIDECHILDRENS.ORG>; Reina.Sims@mih.ohio.gov; 'reiss@carpenterlipps.com' <reiss@carpenterlipps.com>; 'president@OASN.org' <president@OASN.org>; 'fwolgin@interactforhealth.org' <fwolgin@interactforhealth.org>; Paolo.Demaria@education.ohio.gov; John.Martin@dodd.ohio.gov; Lance.Himes@odh.ohio.gov; Cynthia.Duney@jfs.ohio.gov; Barbara.Sears@medicaid.ohio.gov; tracy.plouck@mha.ohio.gov; greg.moody@governor.ohio.gov; 'rgraham@lcghd.org' <rgraham@lcghd.org>; 'hamilton@basa-ohio.org' <hamilton@basa-ohio.org>; 'Daniel.Troy@lakecountyohio.gov' <Daniel.Troy@lakecountyohio.gov>;

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<klake@ohiochamber.com>; 'murrayMD@live.com' <murrayMD@live.com>;  
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<Keith.Hochadel@CommQuest.org>; 'david@oda.org' <david@oda.org>;  
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<kmahler@ohioafp.org>; 'murrayMD@live.com' <murrayMD@live.com>;  
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<Brandi@raiseyourvoiceforkids.org>; 'kathleen@raiseyourvoiceforkids.org'  
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**Cc:** Monica.Juenger@governor.ohio.gov; Sarah.Wickham@education.ohio.gov;  
Marjorie.Yano@medicaid.ohio.gov; 'matt\_karlan@mckinsey.com'  
<matt\_karlan@mckinsey.com>  
**Subject:** SURVEY and WEBSITE Link: School Based Health Care Work Group

Thank you for joining the School Based Health Care work group call Wednesday.

As promised, we are sharing a link for the Ohio School Based Health Care partnership toolkit for your further review (<http://education.ohio.gov/SBHealthcareToolkit>). This website is still in **DRAFT** form, so we respectfully request that you not share the link with others. The temporary link will be taken down on Friday, April 27.

Please submit additional toolkit feedback via this survey link  
(<https://www.surveymonkey.com/r/6YB5WX6>) by Friday, April 27.

Finally, the school self-assessment link  
(<https://ccip.ode.state.oh.us/DocumentLibrary/ViewDocument.aspx?DocumentKey=80971>)  
was sent out to ~1300 schools and their respective superintendents through the school improvement plan portal last month. If you are aware of schools that still would like to provide information through the self-assessment, please have them do so ASAP. The link will be taken down within the next few days.

Thanks for your continued interest in this work.

Theresa Hatton  
Office of Health Transformation  
[theresa.hatton@governor.ohio.gov](mailto:theresa.hatton@governor.ohio.gov)  
614-752-2784

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**From:** Hatton, Theresa  
**Sent:** Wednesday, April 11, 2018 1:44 PM  
**Subject:** RE: School Based Health Care Work Group Conference Call Tomorrow

Today's discussion will be a walkthrough of the toolkit website and the SBHC vision section. If you are unable to join via the WebEx, I have attached the vision document to follow along. Please let me know if you have questions.

**School Based Health Care Call**  
Wednesday April 11, 2018

2:00pm – 3:00pm

Webex:

<https://mckinsey.webex.com/mckinsey/j.php?MTID=m51e86c4058005e7ecd0412693641fb5f>

Meeting number:

Meeting password:

Dial in:

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**From:** Hatton, Theresa

**Sent:** Tuesday, April 10, 2018 4:16 PM

**Subject:** School Based Health Care Work Group Conference Call Tomorrow

As a reminder, we are hosting a school based health care conference call tomorrow at 2:00pm. Details are listed below. We will be discussing the website for the partnership support toolkit and going through the Vision for Ohio School-Based Health Care section.

Please let me know if you have any questions. Thank you.

**School Based Health Care Call**

Wednesday April 11, 2018

2:00pm – 3:00pm

Webex:

<https://mckinsey.webex.com/mckinsey/j.php?MTID=m51e86c4058005e7ecd0412693641fb5f>

Meeting number:

Meeting password:

Dial in:

Theresa Hatton

Office of Health Transformation

[theresa.hatton@governor.ohio.gov](mailto:theresa.hatton@governor.ohio.gov)

614-752-2784

---

**From:** Hatton, Theresa

**Sent:** Tuesday, March 20, 2018 3:35 PM

**Subject:** School Based Health Care Work Group Follow-Up

Thank you for participating in the school-based health care workgroup last Wednesday. We wanted to follow up with a few logistics:

1. **Share any materials that would be helpful to add to the toolkit.** Many of you mentioned that you have ready-made materials or links to materials that would be

helpful to add to the toolkit. We would appreciate if you could send those materials or any general input on the toolkit to [sarah.wickham@education.ohio.gov](mailto:sarah.wickham@education.ohio.gov).

2. **Two follow up conference calls.** Scheduled for April 11 at 2:00PM and May 1 at 10:00AM. More details will be sent in advance of these calls.
3. **Save the date for the next in-person meeting on May 22 at noon.** Meeting details and RSVP link below.

**Key takeaways from breakouts on care delivery models and toolkit**

- Need to make sure we are clear on what audience we are addressing (e.g., what are the relevant decisions for schools, health care providers and the partnership together; what are the resources required to help each succeed)
- Important to frame the models carefully so that schools and health care providers understand the inputs to making decisions:
  - Many of these choices will be dictated based on a deeper understanding of academic and health outcomes as part of a broader needs assessment
  - Depends in large part on access to funding and existing services (e.g. who are external and internal providers that will be able to support their efforts)
  - Social determinants and urban/rural factors will play strongly in model selection
- Necessary to engage the community early and often – not just about “marketing” the program but getting buy-in and ensuring the model meets community needs
- Creation of a peer-to-peer network – or database of other early adopters – would be a powerful resource for schools starting school-based health care efforts
- The toolkit should help partnerships think through structuring accountability and governance (e.g., provide tools to support monitoring sustainability, considerations for safety / security, etc)

**School Based Health Care Workgroup**

Tuesday, May 22, 2018

12:00pm – 2:00pm

Lazarus Office Building, 6<sup>th</sup> Floor

50 W. Town Street

Columbus, OH 43215

RSVP: <https://goo.gl/forms/RXS0ndGCdbUNfIVm2>

*\*\*\*Allow additional time to check in with Dept. of Medicaid security upon arrival.*

Theresa Hatton

Office of Health Transformation

[theresa.hatton@governor.ohio.gov](mailto:theresa.hatton@governor.ohio.gov)

614-752-2784

**From:** Heartland Government Relations

**Sent:** Friday, April 13, 2018 4:11 PM

**To:** Rep93

**Subject:** The Leaflet: Wisconsin and the White House Put Welfare to Work



## Putting Welfare to Work

On Tuesday, President Donald Trump and Wisconsin Gov. Scott Walker (R) separately initiated important welfare reforms. The reforms address different welfare systems but have the same goals: promoting a culture of work and self-sufficiency among welfare recipients and restoring government back to its proper role.

Trump's executive order aims to reform the bloated, multi-billion-dollar national welfare system, which has strayed far beyond its initial mission to assist the most vulnerable and help them become self-sufficient. Trump believes current welfare programs, which President Barack Obama vastly expanded, breed government dependence, contribute to family breakdown, and perpetuate the poverty cycle.

Trump's executive order outlines several "Principles of Economic Mobility," including: (1) adding work requirements for welfare eligibility and strengthening existing ones; (2) streamlining services and consolidating duplicative programs to reduce bureaucracy; and (3) encouraging private enterprise and local solutions to combat poverty.

The executive order states the federal government should invest in workforce development programs and grant to state and local governments more flexibility in how they design and implement welfare programs. It also instructs officials across government departments to

review all welfare regulations to ensure they align with the principles in the executive order and to recommended regulatory changes, if needed.

In Wisconsin, Walker signed nine welfare reform bills into law. These bills constitute the Wisconsin Works for Everyone reform package, which Walker has been promoting over the past year. The Wisconsin reform measures will: (1) extend work or job training requirements to able-bodied adults with school-aged children; (2) request a waiver from the federal government to create a health savings account for Medicaid beneficiaries; and (3) establish asset restrictions for recipients of food stamps and child care subsidies.

In 2015, Wisconsin was given an "A" grade in Heartland's *Welfare Reform Report Card*. In January 2018, John Nothdurft, director of government relations, testified in support of the reform bills in a Wisconsin joint committee hearing.

As welfare rolls in the Badger State decrease, Wisconsinites can expect stronger economic growth, a lower unemployment level, and the availability of additional state funds that could be used to address pressing needs, such as infrastructure redevelopment and education.

To learn more about free-market, pro-liberty solutions, read The Heartland Institute's *Ten State Solutions to Emerging Issues*. This concise booklet provides several solutions to state lawmakers interested in fixing their welfare programs, which have become a colossal strain on the limited budgets of most states. Solutions include work requirements, consolidating redundant agencies, eliminating fraud and abuse, and applying for 1115 demonstration waivers to give states flexibility in administering Medicaid.



## What We're Working On

### Education

Nevada Educational Choice Scholarship Program Saves Taxpayer Dollars, Increases Per-Pupil Funding

In this *Research & Commentary*, Heartland Policy Analyst Tim Benson writes about a new fiscal analysis of Nevada's tax-credit scholarship program by the Nevada Policy Research Institute. The program saves \$1.14 in state education funding in fiscal year 2018 for every dollar in Modified Business Tax revenue lost from scholarship contributions. The savings accrued from the expansion of the program to 25,000 students, just 5 percent of statewide public school enrollment, would be the equivalent of adding \$116 million in education funding.

### Energy & Environment

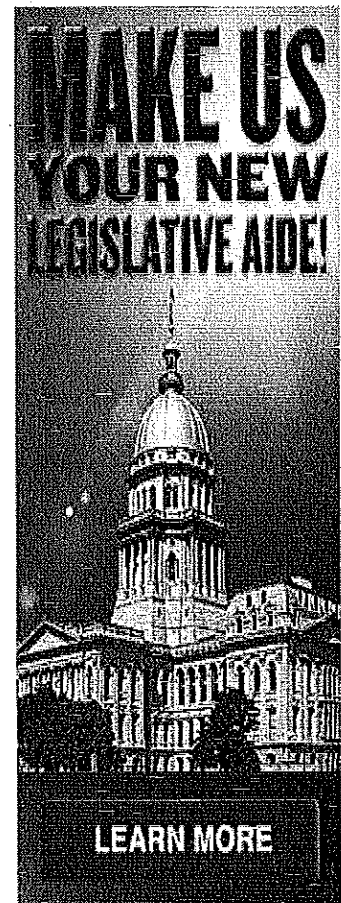
New England Imported Natural Gas from Russia This Winter

In this article for *Environment & Climate News*, Joe Barnett, a program development consultant with the Beacon Hill Institute, writes that during the recent severe winter in the Northeastern United States, utilities had to import natural gas from Russia to heat homes and keep electricity running. New England utilities purchased Russian gas instead of cheaper, domestically produced natural gas because state governments in the Northeast have blocked various efforts to expand natural gas pipelines in the region. Additionally, perverse federal rules, primarily the Jones Act, make transporting domestic commodities and energy unnecessarily difficult and expensive.

### Health Care

Pennsylvania Considers Lowering Restrictions on Telemedicine

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines a Pennsylvania proposal that would dramatically expand telemedicine services. The bill would increase access to health care by clearly defining "telemedicine" and initiating reimbursement parity. "Telemedicine has the potential to provide routine health care services to more people at a lower cost than traditional in-person delivery. Unfortunately, unnecessary and burdensome government regulations continue to stifle access to telemedicine services for many Americans. Telemedicine reform



POLICY NEWSPAPER

efforts in states such as New Jersey, Pennsylvania, Texas, and Vermont are a positive move toward making telemedicine more widely available," wrote Glans.

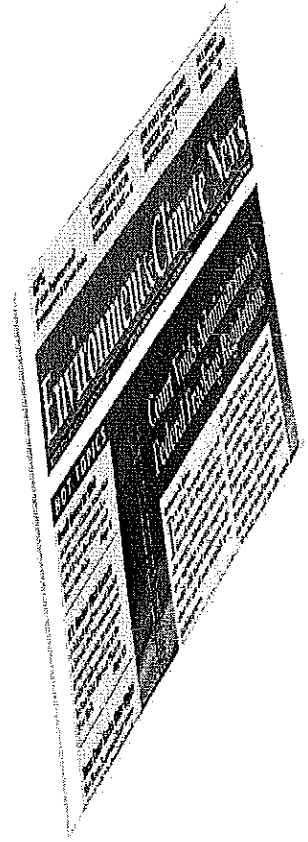
## Budget & Tax

## Gov. Murphy's Tax Hikes Would Create Large Burden for New Jersey's Economy

In this *Research & Commentary*, Glans examines a series of proposed tax hikes in New Jersey that would negatively impact the state's already floundering economy. "Instead of increasing taxes on higher earners and entrepreneurs and relying on sin taxes, New Jersey's elected officials should focus on making the state a more attractive place for businesses and workers, a goal that would best be accomplished by restraining spending, lowering tax rates, and reducing unnecessary regulations," wrote Glans.

## From Our Free-Market Friends

**Buckeye Institute Identifies Tax Loopholes that Should Be Closed**  
A new report shows the Ohio tax code contains nearly \$2 billion in loopholes, according to researchers at The Buckeye Institute. To circumvent these tax gimmicks, the researchers recommend closing 20 loopholes that annually equate to \$1.8 billion in lost revenue and simultaneously reducing the state's tax rate. Some of the more ludicrous loopholes include a tax credit for political campaign contributions, a credit for those who buy shares of corporate jets, and the motion picture tax credit. The researchers contend tax loopholes add complexity to Ohio's Gordian knot tax code and favor elites and politically connected groups—all at the expense of ordinary taxpayers.



In the April issue of *Environment & Climate News*, H. Sterling Burnett reports on the latest carbon-dioxide tax bill to fail, this time in Washington state. To the dismay of Washington Gov. Jay Inslee, sponsors of Senate Bill 6023 withdrew it from consideration. The bill would have levied a tax of

\$12 per metric ton of carbon emissions on the sale or use of fossil fuels, with gradual increases of the tax until it reaches \$30 per metric ton.

School Reform News

Budget & Tax News

Health Care News

#### The Heartland Institute

The Heartland Institute, founded in 1984, is a national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.



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**From:** Public Policy Law360  
**Sent:** Thursday, April 19, 2018 4:44 AM  
**To:** Rep93  
**Subject:** Tax Pros No Longer Sure About Justices' Take On Wayfair



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Thursday, April 19, 2018



## TOP NEWS

### Tax Pros No Longer Sure About Justices' Take On Wayfair

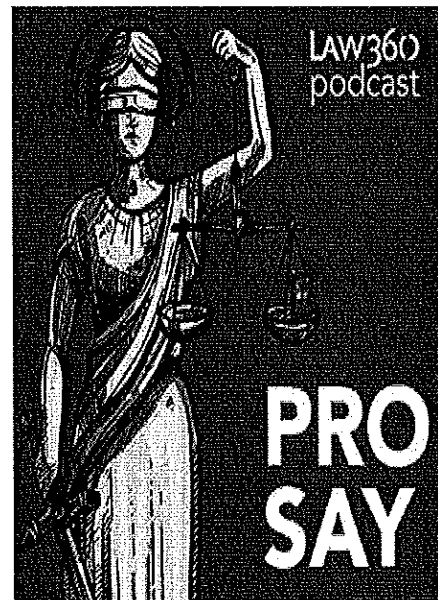
A group of tax professionals said Tuesday's oral arguments before the U.S. Supreme Court in a landmark online taxation case left them with the impression that the high court would not easily overturn precedent by allowing states to tax beyond their borders. [Read more »](#)

### SEC Unveils Plans For 'Best Interest' Standard For Brokers

A divided U.S. Securities and Exchange Commission on Wednesday proposed holding brokers to a higher standard of care if they are giving advice to retail investors, kicking off a likely contentious fight to finalize the long-awaited new rules that have already met with skepticism at the agency. [Read more »](#)

#### Feature

### Input Pours In Before NLRB Election Rule Comment Deadline



[Listen to our new podcast here](#)

#### LAW FIRMS

Alston & Bird

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More than 6,000 labor groups, businesses and workers responded to the National Labor Relations Board's call for feedback on whether and how to revise a controversial Obama-era rule aimed at streamlining the union election process ahead of a twice-extended comment deadline that passed Wednesday. Read more »

### **Enviros' Suit Over EPA Plant Effluent Rule Nixed As Moot**

A Washington, D.C., federal judge on Wednesday tossed a lawsuit in which environmental groups challenged the U.S. Environmental Protection Agency's postponement of an Obama-era rule that set limits on how much toxic metal can be discharged with power plants' wastewater, siding with the agency by finding it moot. Read more »

### **Leverage Doesn't Solve Problems, Time Warner CEO Says**

AT&T's proposed purchase of Time Warner has nothing to do with gaining "leverage" over rival pay-TV providers and everything to do with tackling the real challenges facing modern television programmers, Time Warner's CEO said in D.C. federal court Wednesday in a step-by-step attack on the U.S. government's merger challenge. Read more »

### **Michael Cohen, Wife Owe \$110K Taxes On Taxi Cos., Docs Say**

As President Donald Trump's embattled personal attorney Michael Cohen fights an FBI search warrant tied to his personal business dealings in federal court, New York City and state records show Cohen and his wife owe more than \$110,000 in taxes related to NYC taxicab businesses that they own. Read more »

## **BANKING & SECURITIES**

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Feature

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## **IPOs Reach Market More Quickly As SEC Comments Dwindle**

Companies saw their initial public offerings move through the Securities and Exchange Commission review process more quickly in 2017, data show, facing fewer comments from regulators as the SEC shifts toward a more capital-formation friendly stance under Chairman Jay Clayton. [Read more »](#)

## **SEC Commish Warns Of Overreliance On New Market Rules**

U.S. Securities and Exchange Commissioner Hester M. Peirce on Wednesday urged a more careful review of market structure reforms proposed by the agency, saying new rules drafted by financial industry regulators often seem designed to "mitigate" problems created by earlier rules. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Monument Expansion Overrides Timber Reserves, Group Says**

A foresters' group has told a Washington, D.C., federal judge that President Barack Obama's proclamation expanding an Oregon national monument was invalid because it included land that had been set aside for permanent forest production in perpetuity by a Depression-era act of Congress. [Read more »](#)

### **GOP Sens. Voice Concerns On Groundwater Permit Regs**

The Senate Committee on Environment and Public Works held a hearing on Wednesday concerning the federal government's proper role in preventing groundwater pollution under the Clean Water Act, with Republicans on the committee expressing concern over the government exerting too much authority. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

Zelle LLP

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American Bar Association

Cable News Network Inc.

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Expedia Inc.

Facebook

Google Inc.

Home Box Office Inc.

JAMS ADR

NBCUniversal Inc.

National Association of Clean Water Agencies

National Cattlemen's Beef Association

National Retail Federation Inc.

National Right to Work Legal Defense Foundation

New York Times Co.

Newegg Inc.

Overstock.com Inc.

Physicians for Social Responsibility

Public Broadcasting Service

Quill Corp.

SIFMA

Sierra Club

SolutionPoint International Inc.

Southern Environmental Law Center

TBS International Limited

Tax Foundation

The City University of New York

## **Catholic Group Asks 9th Circ. To Allow Birth Control Waiver**

A Catholic religious institute has asked the Ninth Circuit to overturn a federal judge's decision to suspend the Trump administration's rules that permit employers to claim religious or moral exemptions to the Affordable Care Act's contraception mandate, saying the new rules fixed a law that hurt religious groups. [Read more »](#)

## **IP & TECHNOLOGY**

### **USPTO Chief Plans Summer Reveal For AIA Review Changes**

U.S. Patent and Trademark Office Director Andrei Iancu told a Senate panel Wednesday that he aims to announce proposed changes to America Invents Act reviews by this summer, and is also looking into ways the office can provide more clarity on what is and is not patent-eligible. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **NYC Black Cars, Limos Can't Block New Wheelchair Rules**

A New York federal judge on Wednesday rejected a request from black car and limo operators to block new city regulations requiring the for-hire vehicle industry to dispatch more wheelchair-accessible cars to riders, saying the rules aren't preempted and the operators haven't yet suffered any actual harm. [Read more »](#)

## **EMPLOYMENT**

### **Feature**

### **Client Push Gets More Firms Into The Labor Lobbying Game**

Many employers now demand the opportunity to shape laws and regulations as they're being written rather than simply scrambling to comply after the fact, a desire that has led to an

The DIRECTV Group, Inc.  
Time Warner Inc.  
TripAdvisor Inc.  
Trump Organization Inc.  
Turner Broadcasting System Inc.  
Twitter Inc.  
U.S. Chamber of Commerce  
United States Olympic Committee  
Warner Bros.  
Wayfair LLC

## **GOVERNMENT AGENCIES**

Army Corps of Engineers  
Bureau of Land Management  
Consumer Financial Protection Bureau  
Council on Environmental Quality  
Department of Commerce  
Executive Office for Immigration Review  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Energy Regulatory Commission  
Fish and Wildlife Service  
Government Accountability Office  
Internal Revenue Service  
National Labor Relations Board  
National Park Service  
New York State Department of Taxation and Finance  
Pension Benefit Guaranty Corp.  
Securities and Exchange Commission  
Small Business Administration  
Texas Health and Human Services Commission  
U.S. Air Force

explosion of competition among large law firms to set up and grow labor and employment lobbying shops. [Read more »](#)

### **Frustration Roils Hearing On Multiemployer Plans' Fate**

A Wednesday hearing intended to teach federal lawmakers about what catapulted roughly 100 multiemployer pension plans to the brink of insolvency occasionally devolved into frustration with two experts who refused to offer opinions on proposals to rescue the plans, which hold about 1.5 million workers' retirement savings. [Read more »](#)

### **Texas HHSC Gets 1 Of 2 Nurse Pay Discrepancy Suits Nixed**

A Texas federal judge on Tuesday tossed the claims of one female nurse who alleged she was paid a lower starting wage than her male colleague, holding that the salary policies of the Texas Health and Human Services Commission prevented more pay, but allowed another female nurse to proceed with her claims. [Read more »](#)

## **COMPETITION**

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### **DirecTV Looks To Exit AT&T-Time Warner Merger Fight**

Satellite service provider DirecTV asked a D.C. federal court on Tuesday to dismiss it from the U.S. Department of Justice suit challenging AT&T's planned purchase of Time Warner, arguing that it has no business being in the case since it's a wholly owned subsidiary of the buyer. [Read more »](#)

## **CONSUMER PROTECTION**

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### **Sport Governing Bodies Ignored Sexual Abuse: Olympians**

Former Olympians testified Wednesday on Capitol Hill about rampant sexual abuse within multiple sports, including gymnastics, telling lawmakers that organizations in charge

U.S. Army

U.S. Attorney's Office

U.S. Coast Guard

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Forest Service

U.S. House of Representatives

U.S. Patent and Trademark Office

U.S. Supreme Court



ignored and dismissed reports of abuse. Read more »

### **Senate Votes To Roll Back CFPB Auto Lending Rule**

A push to ax the Consumer Financial Protection Bureau's 2013 guidance on discrimination in auto lending got one step closer to reality Wednesday after the Senate passed a measure to repeal the rule under the Congressional Review Act. Read more »

## **AEROSPACE & DEFENSE**

---

### **Senate Dems Block Coast Guard Bill Over Water Issues**

Senate Democrats voted to block reauthorization of the U.S. Coast Guard on Wednesday, railing against a change to the Clean Water Act they claimed would endanger America's waterways. Read more »

### **Air Force To Shake Up Space Center, Speed Up Acquisition**

The U.S. Air Force will reorganize its Space and Missile Systems Center in an effort to cut years off the time it currently takes to procure space systems, as part of a broader new push to streamline acquisitions, Air Force Secretary Heather Wilson said. Read more »

### **Coast Guard Chief Pushes Back Against Transgender Ban**

The U.S. Coast Guard chief, while urging more funding for new ships, told lawmakers that he was committed to allowing transgender members to continue to serve in the Coast Guard unless there is a policy specifically barring their service. Read more »

## **INTERNATIONAL TRADE**

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Analysis

### **A Flood Of Tariff Exemption Bids Is Giving Attorneys Fits**

As importers and foreign producers scramble for a reprieve from the Trump administration's sweeping tariffs on steel and aluminum, attorneys are beginning to confront the challenges in navigating a bureaucratic process that has already been overrun with a wave of exclusion requests. [Read more »](#)

## TAX

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### **House Votes Unanimously To Scrap IRS Oversight Board**

In a show of bipartisanship, the U.S. House of Representatives voted unanimously on Wednesday in favor of eliminating the Internal Revenue Service's Oversight Board, along with other provisions. [Read more »](#)

### **Bill To Trash Some Tax Extenders Out By May At Earliest**

The House subcommittee responsible for addressing tax extenders may introduce legislation by the end of May that would scrap some of the extenders, the subcommittee's chairman said after leading a closed-door meeting with other members of Congress to address the issue. [Read more »](#)

### **Privacy Group Starts 2nd Lawsuit Seeking Trump's Tax Info**

A Washington, D.C.-based privacy organization on Tuesday sued the Internal Revenue Service in D.C. federal court for a second time over what it called the agency's failure to turn over information related to President Donald Trump's tax records. [Read more »](#)

### **Reviving \$92.5B In Tax Extenders Needless, Think Tank Says**

The Tax Foundation said in a paper Tuesday that if the 26 now-expired tax provisions being reviewed by a House subcommittee became permanent, the 10-year cost of doing so would be around \$92.5 billion, but it said some provisions were no longer necessary and

others should be allowed to expire. [Read more »](#)

## IMMIGRATION

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### **ABA Head Advocates For Independent Immigration Judiciary**

Hilarie Bass, American Bar Association president and co-president of Greenberg Traurig LLP, was among the attendees Wednesday at a Senate Judiciary Committee hearing urging Congress to overhaul the nation's immigration courts, touting the value of an independent judiciary. [Read more »](#)

### **Trump Defends Travel Ban To Justices As Oral Args Loom**

The Trump administration continued to defend its ban on travel to the United States by nationals from several Muslim-majority countries at the U.S. Supreme Court on Wednesday, contending in a reply brief that it was a lawful response to a multiagency review process and had nothing to do with religion. [Read more »](#)

### **Dems Slam DOJ On Due Process Protections For Immigrants**

Democrats on the House and Senate Judiciary committees in a letter Tuesday urged the U.S. Department of Justice to back off on its recent moves to set performance quotas for immigration judges and to terminate the Legal Orientation Program, saying the agency is tearing down due process protections for immigrants. [Read more »](#)

### **9th Circ. Urged To Uphold Block On DACA Rollback**

The University of California Board of Regents and the city of San Jose told the Ninth Circuit on Tuesday that the rollback of the Deferred Action for Childhood Arrivals program requires the comment and scrutiny of the public, urging

the panel to block its rescission and implement notice-and-comment procedures. [Read more »](#)

## TELECOMMUNICATIONS

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### **Senators Ask FCC For New Robocall Rules, Introduce Bills**

A group of senators asked the Federal Communications Commission on Wednesday to enact consumer safeguards to stem an "onslaught" of unwanted automated calls and texts, the same day robocall legislation was introduced and a Senate committee grilled a robocaller dragged to the hearing by subpoena. [Read more »](#)

### **Senators Seek Info On Mystery Cell Surveillance In DC**

A bipartisan group of senators on Wednesday called on the U.S. Department of Homeland Security to publicize information about potential cellphone surveillance in the Washington, D.C., area, saying in a letter the public should know more about the mysterious devices at the heart of the issue. [Read more »](#)

## WHITE COLLAR

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### **Theft Charges Violate House Rules, Ex-Ill. Rep. Tells 7th Circ.**

An attorney for ex-Illinois Rep. Aaron Schock on Wednesday told the Seventh Circuit that federal prosecutors had overstepped their bounds in their case accusing the former congressman of stealing government funds, in arguments that leaned heavily on government separation of powers. [Read more »](#)

## PEOPLE

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### **Cohen, Feds Name Special Master Picks To Audit Seized Docs**

President Donald Trump's attorney Michael Cohen and federal prosecutors both submitted candidates for a possible "special master" to review materials the FBI seized from Cohen,

with the government suggesting three retired magistrate judges and Cohen naming four former federal prosecutors, including a former top SEC enforcer. [Read more »](#)

## EXPERT ANALYSIS

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### **The Latest Defeat Of Trump's 'Sanctuary' City Policies**

Based on a California federal judge's recent decision in *City of Los Angeles v. Sessions*, prohibiting the U.S. Department of Justice from using a locality's cooperation on immigration enforcement to determine eligibility for grants, it appears the Trump administration's "sanctuary" city initiatives are likely to remain tied up in or blocked by litigation, says Jeffrey Gorsky of Berry Appleman & Leiden LLP. [Read more »](#)

### **Spending Bill Includes Unique Path To Conservation Goals**

Buried deep inside the recently passed Consolidated Appropriations Act, legislation reviving the formerly expired Federal Land Transaction Facilitation Act offers opportunities for potential purchasers of federal public lands, while also creating a source of funding for important conservation transactions, says John Andrews of Snell & Wilmer LLP. [Read more »](#)

### **Status Update On 'One Federal Decision' Project Reviews**

Last week, a dozen federal agencies signed a memorandum of understanding committing to a more coordinated and streamlined federal review process. But because there have been no changes to underlying statutory requirements, each agency will still have to determine that a project review meets its respective legal obligations, say Raya Treiser and Nathaniel Custer of WilmerHale. [Read more »](#)

### **At Wayfair Args, Justices Seem Hesitant To Overturn Quill**

The South Dakota v. Wayfair oral argument was lively, to say the least. While the justices' comments indicate that the U.S. Supreme Court is divided about the appropriate response to the South Dakota law at the heart of this matter, based on the arguments, a ruling to affirm the status quo and hold for the taxpayers would not be surprising, say Clark Calhoun and Kendall Houghton of Alston & Bird LLP. [Read more »](#)

### **Best Practices For Building A Better Meeting**

How can we improve meetings in the legal industry, which tends to evolve with the speed of a tranquilized water buffalo mired in quicksand? Breaking it down to three phases can yield significant benefits, says Nicholas Cheolas of Zelle LLP. [Read more »](#)

## **LEGAL INDUSTRY**

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### **EXCLUSIVE: Riley Safer Elects First Black Female MP**

Riley Safer Holmes & Cancila LLP has elected its first African-American female managing partner, potentially marking a racial barrier-breaking first for the industry, Law360 has learned exclusively. [Read more »](#)

### **El Paso Appellate Backlog Prompts Case Transfers**

The Texas Supreme Court took a first-of-its-kind step last week, transferring more than 80 fully briefed cases away from the Eighth Court of Appeals in El Paso — some that have been pending for more than two years — as the court works to clear a backlog. [Read more »](#)

### **Let Judge See Mediator's Notes, Proskauer Atty Tells 2nd Circ.**

An attorney at Proskauer Rose LLP who anonymously accused the firm of gender discrimination told the Second Circuit on Wednesday a lower judge was wrong to reject her request for a mediator's notes that she

believes prove her claim the firm threatened to fire her, saying the judge should determine if they're relevant. [Read more »](#)

### **Judge's Killer Must Die, 11th Circuit Rules**

The Eleventh Circuit Wednesday agreed with a lower court's decision to uphold the execution, scheduled for Thursday, of pipe bomber Walter Leroy Moody Jr., who killed an Eleventh Circuit judge in 1989, while disagreeing with the lower court's reasoning. [Read more »](#)

#### **JOBS**

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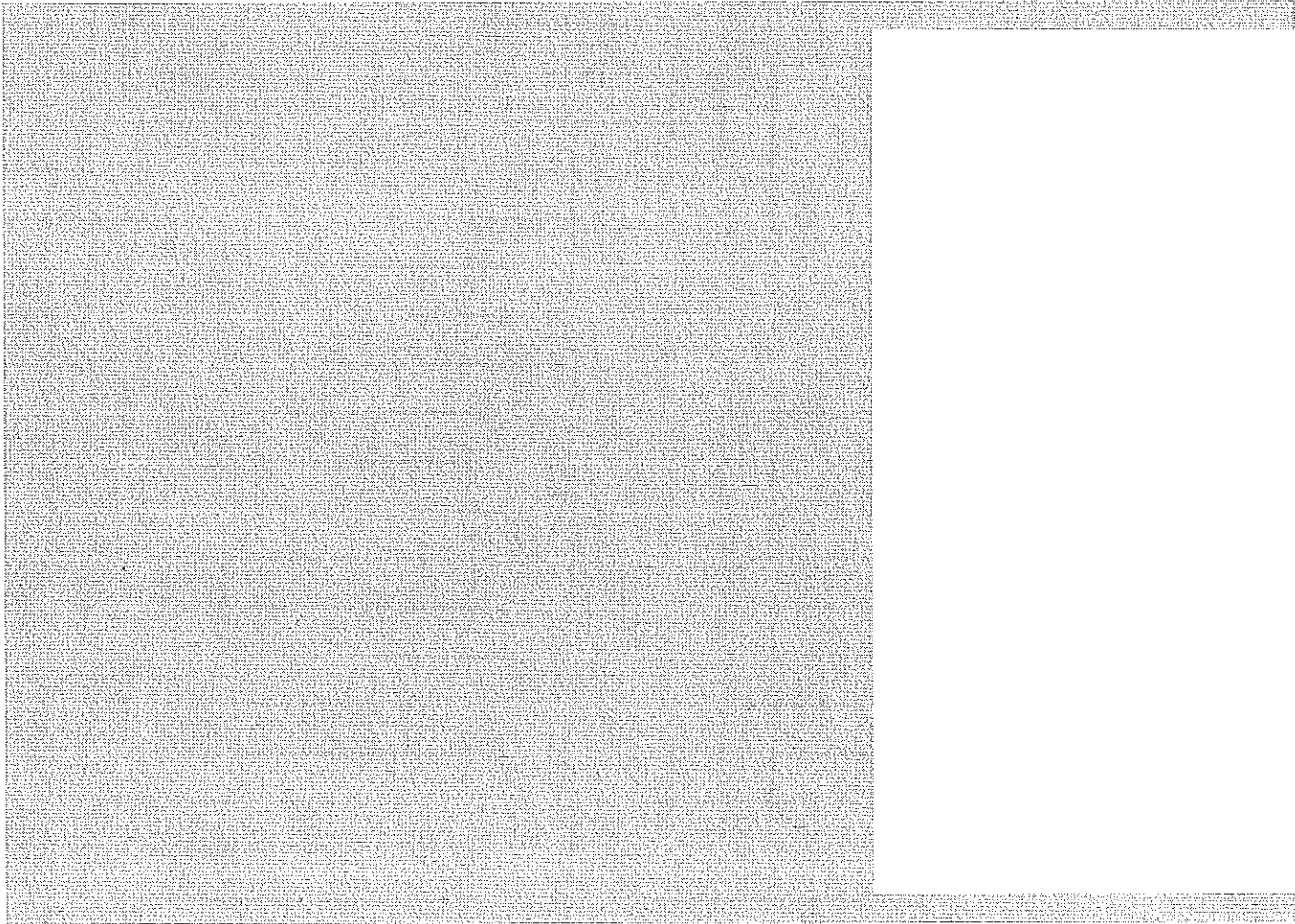
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**From:** Courtney Cook

**Sent:** Thursday, April 19, 2018 8:09 PM

**To:** Rep93

**Subject:** Don't Miss Out! 1 Week Till Grand Rapids!



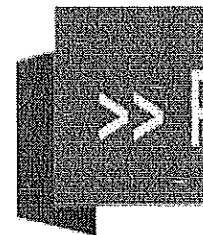




**Do**

**Register Today f**

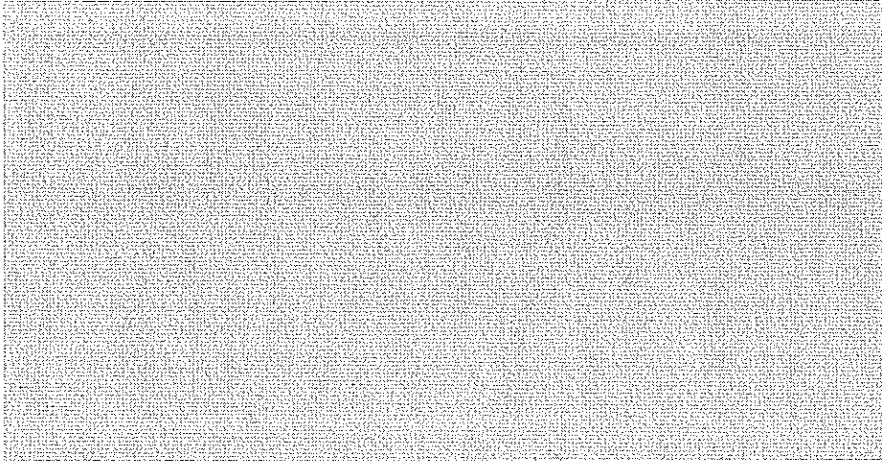
**Whe**



**ALEC Task Force**

Civil Justice

Commerce, Insurance and Ec  
Development



Communications and Technol

Criminal Justice

Ful

**Looking for /**

Grand Rapids, Michigan offers a high-energy downtown with more than 90 restaurants, entertainr  
Meijer Gardens & Sculpture Park, one of the Midwest's most popular tourist destinations, and the



Grand Rapids Art  
Museum

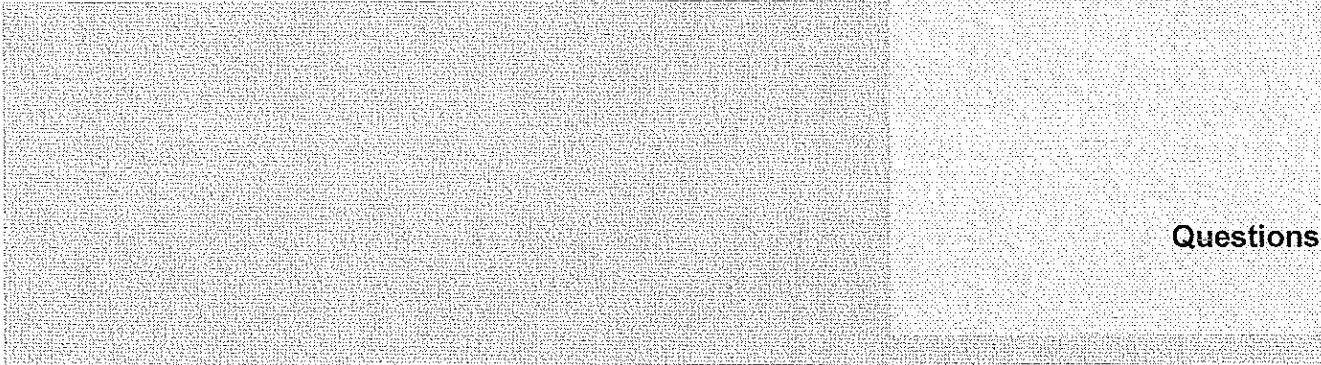
Grand Rapids is also a paradise for outdoor enthusiasts, with activities and locales for every interest. You're never more than six miles away from a body of water, so fishing, boating and swimming are favorite pursuits. Biking, hiking and running trails crisscross the region, passing through skyscraper canyons to forests and wetlands. And championship golf courses abound.

As the gateway city to Michigan's West Coast, Grand Rapids is also the perfect home base for exploring the wonders of the Lake Michigan shoreline – including

charming resort villages, world-class beaches and some of the most gorgeous sunsets on earth.

**Hope to see you soon!**

*\*Photos courtesy of Experience Grand Rapids*



Questions

**Unsubscribe**

This message was sent to [rep93@ohiohouse.gov](mailto:rep93@ohiohouse.gov) from [CCook@alec.org](mailto:CCook@alec.org)

Courtney Cook  
ALEC  
2900 Crystal Drive, 6th Floor  
Arlington, VA 22202

**iContact**  
TRY IT FOR FREE >

**From:** Heartland Institute: Jim Lakely

**Sent:** Friday, April 20, 2018 5:02 PM

**To:** Rep93

**Subject:** Heartland Institute is coming to Ohio. We hope to see you at these events.



---

## **Americans for Prosperity American Pay Raise Tax Reform & Job Growth**

**WHAT:** AFP-Ohio Presents:  
American Pay Raise - Tax  
Reform and Job Growth

**WHEN:** Monday, April 23 from  
6:00 p.m. to 7:45 p.m.

**WHERE:**

**WHAT:** AFP-Ohio Presents:  
American Pay Raise –  
Millennials and Tax Reform

**WHEN:** Thursday, April 26 from  
6:00 p.m. to 7:30 p.m.

**WHERE:**

Strongwater Event Space  
401-W. Town St.  
Columbus, OH 43215  
RSVP TODAY

The Butcher and Barrel  
700 Race St.  
Cincinnati, OH 45202  
RSVP TODAY

Millions of Americans are keeping more of their hard-earned paychecks thanks to the American Pay Raise, otherwise known as tax reform.

But now what?

Wondering how exactly the American Pay Raise benefits you? Curious about how we can preserve tax reform's positive benefits going forward?

Wonder no more!

Join AFP-Ohio, the Buckeye Institute and the Heartland Institute on Monday, April 23 for an exciting forum on the impacts of lower taxes on job and economic growth, and an opportunity to network with like-minded professionals!

This is a great opportunity to network with like-minded young professionals and learn more about how tax reform affects you!

But wait, there's more!

On Thursday, April 26, AFP-Ohio, the Buckeye Institute, and the Heartland Institute will also be hosting an event discussing the effect of the American Pay Raise on millennials.

You'll learn what the American Pay Raise means for the current generation and how we can preserve tax reform's benefits going forward.

Hope to see you there!

AMERICAN OVERSIGHT BOARD OF INVESTIGATION

Register for the 26th!



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PROSPERITY**



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YOU CAN STOP THE FEDERAL GOVERNMENT FROM SPENDING YOUR TAX DOLLARS ON THE WRONG THINGS

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Heartland Institute: Jim Lakely  
The Heartland Institute  
3939 North Wilke Road  
Arlington Heights, IL 60004

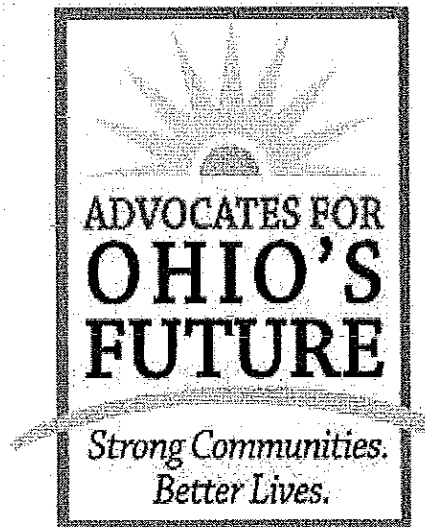
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**From:** Advocates for Ohio's Future  
**Sent:** Tuesday, April 24, 2018 9:00 AM  
**To:** Rep93  
**Subject:** New Director at Advocates for Ohio's Future!

[View this email in your browser](#)

*Advocates for Ohio's Future is excited to  
Welcome new Coalition Manager Kelsey  
Bergfeld!*

*April 24, 2018*



[Click here to go to our website](#)



### **For Immediate Release**

COLUMBUS, OH – Advocates for Ohio's Future (AOF) is pleased to announce that Ms. Kelsey Bergfeld will become the organization's Coalition Manager on May 1.

AOF is a statewide coalition of nearly 500 local and statewide organizations that promote health and human service solutions so all Ohioans live better lives.

"I think Kelsey brings considerable advocacy and legislative experience to Advocates for Ohio's Future," said Lisa Hamler-Fugitt, the Executive Director of the Ohio Association of Food Banks and a co-chair of AOF.

Bergfeld most recently worked as the Legislative Liaison for SEIU District 1199 WV/KY/OH, and prior to that, was a Senior Legislative Aide for State Senator Tom Sawyer.

"We're excited about the experiences that Kelsey brings to the position. She has a wealth of knowledge in the legislative process and Ohio's health and human services system. Kelsey will be a great addition to our AOF team as we work to make sure all Ohioans live better lives. We look forward to her leading AOF into the future," said Mark Davis, President of Ohio Provider Resource Association and a co-chair of AOF.

In Bergfeld's new role, she will provide leadership in AOF's coalition work and policy advocacy. She will also work to develop legislative strategy for AOF and its members.

"Kelsey's understanding of the legislative landscape, certainly around health and human services programs, is very strong, and I think she is going to be a really

confident leader and a strong voice for our public policy agenda and representing our diverse coalition partners," said Hamler-Fugitt.

For more information on AOF, find us on Twitter at @Advocates4Ohio, on Facebook at Facebook.com/advocatesforohio or visit our website [www.advocatesforohio.org](http://www.advocatesforohio.org).

Advocates for Ohio's Future  
101 E. Town Street, Suite 520  
Columbus, OH 43215  
614-221-4945  
[www.advocatesforohio.org](http://www.advocatesforohio.org)

[Click here to go to our website](http://www.advocatesforohio.org)

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**From:** jeannemelvin@yahoo.com  
**Sent:** Tuesday, April 24, 2018 7:32 PM  
**To:** Rep93  
**Subject:** Road Trip to Michigan?

First Name : Jeanne

Last Name : Melvin

Address : 866 Beech Drive

City : Columbus

State : OH

Zip : 43235

Phone : 614.885.4628

Email : jeannemelvin@yahoo.com

Subject :  
Road Trip to Michigan?

Message :  
Hello!

The American Legislative Exchange Council (ALEC) will hold its annual Spring Task Force Summit on Friday, April 27 at the Amway Grand Plaza in Grand Rapids, Michigan.

Will you be attending the conference?

If so, who will pay your way,

And what will they expect in return?

**From:** Public Policy Law360  
**Sent:** Thursday, April 26, 2018 4:50 AM  
**To:** Rep93  
**Subject:** Tobacco Cos. Settle Long-Running Health Warning Dispute



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Thursday, April 26, 2018



## TOP NEWS

### **Tobacco Cos. Settle Long-Running Health Warning Dispute**

Major tobacco companies and the federal government on Wednesday told a D.C. federal judge they have agreed on language for "corrective statements" on tobacco product websites and packaging, ordered more than a decade ago to remedy misleading statements by the companies. [Read more »](#)

### **Justices Cautious To Tread On Trump's Power Over Travel Ban**

The U.S. Supreme Court heard arguments Wednesday over the third version of President Donald Trump's travel ban, with the justices appearing skeptical of the state of Hawaii's assertion that the president overstepped his statutory immigration powers. [Read more »](#)

### **8th Circ. Sets Judges' Role In Asylum Group Status Decisions**

An immigration judge is not required to clarify the bounds of a social group an asylum seeker

[Listen to our new podcast here](#)

#### **LAW FIRMS**

Anthony Kennedy PC  
Arnold & Porter  
Baker McKenzie  
BakerHostetler  
Barton LLP  
Bradley Arant  
Budd Larner

belongs to when no such group is proposed by the immigrant, the Eighth Circuit ruled Tuesday in denying a Guatemalan man's asylum bid. [Read more »](#)

### **SDNY Judges Say Berman To Stay On As Manhattan US Atty**

Interim Manhattan U.S. Attorney Geoffrey Berman will stay on as top prosecutor for the Southern District of New York unless replaced by the Trump administration, Chief Judge Colleen McMahon said Wednesday, ending speculation about the coming expiration of his temporary White House appointment. [Read more »](#)

### **Lawmakers 'Troubled' By NLRB GC's Talks With Littler Atty**

The top Democrats on the U.S. House of Representatives and Senate labor appropriations subcommittees told the National Labor Relations Board's general counsel Wednesday they were "troubled" by his apparent discussions with a Littler Mendelson PC attorney about reported plans to reorganize the agency. [Read more »](#)

### **Senate Dems Grill Trump Nominee For 5th Circ. Seat**

Democrats on the Senate's Judiciary Committee on Wednesday grilled Texas Gov. Greg Abbott's general counsel Andrew S. Oldham, nominee to the Fifth Circuit Court of Appeals, over his record defending the state. [Read more »](#)

## **BANKING & SECURITIES**

### **Mulvaney's Talk To Bankers Spurs Calls For His Resignation**

The top Democrat on the Senate Banking Committee joined with consumer advocates Wednesday in calling on Consumer Financial Protection Bureau acting Director Mick Mulvaney to resign after he told a bank industry gathering this week that, while in

Cohen Milstein  
Covington & Burling  
Dechert  
Earthjustice  
Gibson Dunn  
Greenberg Traurig  
Hogan Lovells  
Jones Day  
Kellogg Hansen  
King & Spalding  
Littler Mendelson  
Ludwig & Robinson  
Manatt Phelps  
McCracken Stemerman  
McGuireWoods  
McNees  
Meyer Glitzenstein  
Pagel Weikum  
Paul Hastings  
Paul Weiss  
Sidley Austin  
Squire Patton Boggs  
Stafford Rosenbaum  
Steptoe & Johnson LLP  
Steptoe & Johnson PLLC  
Wagner Reese  
Watts Guerra  
Womble Bond Dickinson

## **COMPANIES**

AT&T Inc.  
Air Transport Association of America  
Altria Group Inc.  
American Bankers Association  
American Civil Liberties Union  
American Federation of Television and Radio Artists

Congress, he wouldn't meet with lobbyists who hadn't given him campaign contributions. [Read more »](#)

### **SEC's Jackson Decries 'Middle-Market Tax' On IPOs**

U.S. Securities and Exchange Commissioner Robert Jackson decried Wednesday initial public-offering fees as effectively a "middle-market tax" that dissuades more small to midsize companies from going public, and called for more robust disclosures explaining the cost of IPOs. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Judge Won't Wait For EPA In NRDC's Advisory Committee Suit**

A Manhattan federal judge said Wednesday he wasn't convinced that the U.S. Environmental Protection Agency needed several months to submit administrative records to the court before he reviews an environmental group's challenge to the agency's policy barring certain grant recipients from serving on advisory committees. [Read more »](#)

### **Consol Beats Bid To Halt Mine Expansion Under Pa. Park**

A Pennsylvania environmental appeals board on Tuesday shot down a petition seeking an immediate pause on a permit allowing Consol Energy Inc. to expand an underground coal mine, already the largest such operation in North America, below a state park. [Read more »](#)

### **Wash. Tribe Says Army Corps Permit Threatens Aquatic Life**

The Swinomish Indian Tribal Community hit the Army Corps of Engineers with a suit in Washington federal court Tuesday, alleging the agency violated U.S. environmental law by not providing protections for habitats critical to a

American Trucking Associations Inc.

Associated Press

CONSOL Energy Inc.

Cisco Systems Inc.

Ernst & Young

Facebook

Friedman LLP

Hewlett Packard Enterprise Co.

Kaspersky Lab Ltd.

LinkedIn Corp.

Lippman Jungers LLC

Los Angeles Times

Mlegal Group Inc.

National Hispanic Medical Association

National Immigration Law Center

National Rifle Association of America

National Right to Work Legal Defense Foundation

National Telephone Cooperative Association

Natural Resources Defense Council

NetApp, Inc.

New York Times Co.

New York University

Philip Morris USA Inc.

Physicians for Social Responsibility

Public Company Accounting Oversight Board

Sierra Club

Spotify Technology SA

Syngenta AG

Tax Foundation

Time Warner Inc.

Twitter Inc.

U.S. Chamber of Commerce

Union of Concerned Scientists

threatened salmon species in a nationwide permit for shellfish aquaculture. [Read more »](#)

## HEALTH & LIFE SCIENCES

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### **Dems Concerned House Opioid Bills Too Rushed**

Democratic lawmakers expressed worry Wednesday that legislative efforts to curb the opioid crisis are being too hastily pushed through, saying that while action is needed, missteps can potentially worsen the epidemic. [Read more »](#)

### **Chiropractor Coverage Limits Not Biased, NJ Panel Says**

A New Jersey state appeals court on Wednesday upheld a state health plan board's decision limiting out-of-network reimbursement rates for chiropractic and acupuncture services, rejecting a trade group's claims that the measure discriminated against chiropractors in violation of state law and the Affordable Care Act. [Read more »](#)

## IP & TECHNOLOGY

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### **House Passes Music Modernization Act Unanimously**

The House of Representatives passed an overhaul to music copyright law Wednesday, changing how music services like Spotify and other online ventures pay royalties. [Read more »](#)

## EMPLOYMENT

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### **LAX Asks High Court To Reject 'Labor Peace' Deals Spat**

The operator of Los Angeles International Airport told the U.S. Supreme Court on Wednesday that trade associations for airport services and major U.S. airlines don't have standing to challenge Los Angeles' requirement that airport businesses accept "labor peace agreements" with any union

Villanova University  
Washington Post Co.  
Watanabe Nason  
Wells Fargo & Co.  
Yale University

## GOVERNMENT AGENCIES

Army Corps of Engineers  
Bay Mills Indian Community  
California Air Resources Board  
Centers for Disease Control and Prevention  
Congressional Budget Office  
Consumer Financial Protection Bureau  
European Union  
Executive Office of the President  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Trade Commission  
Food and Drug Administration  
Government Accountability Office  
Internal Revenue Service  
Los Angeles World Airports  
National Highway Traffic Safety Administration  
National Labor Relations Board  
National Marine Fisheries Service  
Securities and Exchange Commission  
Social Security Administration  
Swinomish Indian Tribal Community  
U.S. Army  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice

requesting one, saying their claims are overblown. [Read more »](#)

## COMPETITION

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### **DOJ Weeding Out 'Legacy' Antitrust Judgments**

The U.S. Department of Justice's Antitrust Division said Wednesday it is reviewing all the nearly 1,300 outstanding judgments from agency cases that are still in force, to eliminate judgments that are no longer needed — an initiative in line with the division's stated policy stance. [Read more »](#)

## CYBERSECURITY & PRIVACY

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### **DHS Must Improve Cybersecurity Protections, GAO Says**

The Department of Homeland Security has made significant strides in thwarting cyberattackers in recent years but still needs to make improvements to ensure that the country's critical infrastructure is safe, a government watchdog report concluded Wednesday. [Read more »](#)

### **Bill Would Let Feds Quickly Ban Software From Gov't Use**

Sen. Dianne Feinstein, D-Calif., introduced a bill that would give the federal government authority to ban the use of private companies' software across government without notice, in a measure she said would help shield federal computer systems from foreign attacks. [Read more »](#)

## INTERNATIONAL TRADE

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### **Defying Trump, Macron Calls For Scaling Back Trade Blitz**

Addressing a joint session of the U.S. Congress on Wednesday, French President Emmanuel Macron called for a measured and diplomatic approach to global trade policy in open defiance of the Trump administration,

U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Environmental Protection Agency  
U.S. House Committee on Energy and Commerce  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United States District Court for the Eastern District of Pennsylvania  
Wage and Hour Division  
World Trade Organization



which has made a flurry of aggressive enforcement maneuvers in recent months. [Read more »](#)

## TAX

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### Analysis

#### **States Should Wait For Uniform Partnership Audit Law**

While California's response to sweeping federal changes to the centralized partnership audit regime may serve as a guidepost for other state legislatures, tax specialists say holding out for the finalization of a uniform code could help mitigate administrative burdens on multistate partnerships. [Read more »](#)

#### **US Tax Law Likely To Run Afoul Of WTO Rules, Panelists Say**

The Tax Cuts and Jobs Act rules concerning foreign-derived intangible income are very likely to be seen as a subsidy falling outside World Trade Organization and Organization for Economic Cooperation and Development rules, panelists said Wednesday in New York. [Read more »](#)

#### **Financial Confidence Hits Record High, CPA Group Says**

Americans' financial confidence reached a record high in the quarter immediately following Congress' enactment of the federal tax overhaul, according to a report released Thursday by the American Institute of Certified Public Accountants. [Read more »](#)

## IMMIGRATION

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#### **Travel Ban Challenge Paused Ahead Of High Court Ruling**

A Maryland federal judge on Tuesday granted the Trump administration's bid to pause enforcement of orders in three related cases that temporarily bar the federal government from enforcing a travel ban for nationals from

several predominantly Muslim countries, holding that the U.S. Supreme Court should first clarify the issue in a related case. [Read more »](#)

### **Trump's Remarks Can Be Used In Philly's Sanctuary City Row**

A Pennsylvania federal judge said on Tuesday that certain incendiary remarks from President Donald Trump about immigrants would be factored into his thinking in an upcoming trial challenging the administration's threat to revoke funding from the city of Philadelphia over its refusal to cooperate fully with immigration officials. [Read more »](#)

### **Cuomo Blasts ICE For 'Reckless' Raids On Immigrant Homes**

New York Gov. Andrew Cuomo on Wednesday condemned U.S. Immigration and Customs Enforcement for its warrantless raids, warning that the state will sue the agency if such "reckless and unconstitutional" practices continue. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **New Slate Of FTC Members Ready For Senate Approval**

The currently two-member Federal Trade Commission now has a full set of new commissioners in the pipeline, after a Senate committee on Wednesday advanced Democratic final nominee Rebecca Slaughter for a spot on the commission. [Read more »](#)

### **Network Advocate Joins Net Neutrality Rollback Challengers**

Incompas, an advocacy group representing streaming services and other online platforms, has joined the latest round of net neutrality litigation, announcing it filed a D.C. Circuit petition Tuesday that calls for the Federal Communications Commission's recent rule deregulation to be reversed. [Read more »](#)